
STATUTES OF CALIFORNIA

REGULAR SESSION

1962

Began Monday, February 5, 1962, and Adjourned
Tuesday, April 3, 1962

STATUTES OF CALIFORNIA

PASSED AT THE 1962 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

An act to amend Section 9554 of the Vehicle Code and Section 10770 of the Revenue and Taxation Code, relating to penalties on motor vehicle registration and license fees, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 6, 1962. Filed with
Secretary of State April 6, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 9554 of the Vehicle Code is amended to read:

9554. (a) The penalty shall be equal to the fee after the same has been computed as provided in Sections 9406 and 9559 and shall be collected therewith, except that the penalty for delinquency in respect to any transfer shall be two dollars (\$2), and shall apply only to the last transfer.

(b) If the fee due and delinquent is paid within 30 days of the date the penalty becomes due, the amount of the penalty on such fee or portion thereof due under Sections 9250, 9251, 9252, and 9253 shall be reduced to 10 percent of the total amount of such fee, but in no event less than one dollar (\$1) as is provided for in Section 9559.

SEC. 2. Section 10770 of the Revenue and Taxation Code is amended to read:

10770. If the fee is not paid within 30 days after it becomes delinquent, a penalty equal to one-half of the fee shall be added thereto and be collected therewith. If, however, the annual registration of a trailer coach is being renewed, the penalty shall be added to any payment made on or after February 5th.

If the fee, due and delinquent, is paid within 30 days from the date the penalty becomes due, the amount of the penalty shall be reduced to 10 percent of the total amount of the fee, but in no event less than one dollar (\$1).

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In 1961 the Legislature provided for the reduction of penalties for the late registration of vehicles generally. The change

in the law did not, however, include a reduction in the penalty for the delinquent registration of station wagons and of electric powered vehicles, or in the penalty on the delinquent service fee for the original registration of out-of-state vehicles, or in the penalty for the delinquent payment of the vehicle license fee for trailer coaches. Because of the large number of these penalties becoming due in February and March, it is necessary that this act take effect immediately for the practical and equitable assessment of penalties and for the legislative approval of the adjustment in anticipated revenues.

CHAPTER 2

An act to amend Section 3152 of the Business and Professions Code, relating to the practice of optometry.

[Approved by Governor April 11, 1963. Filed with
Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3152 of the Business and Professions Code is amended to read:

3152. The amount of fees and penalties prescribed by this chapter is that fixed in the following schedule:

(a) The fee for applicants applying for the first time for a certificate of registration who present credentials of graduation from optometry schools in California is twenty-five dollars (\$25) which shall not be refunded, except that applicants who are found ineligible to take an examination for a certificate of registration are entitled to a refund of fifteen dollars (\$15).

(b) The fee for applicants applying for the first time for a certificate of registration who present credentials of graduation from optometry schools other than those in California is thirty-five dollars (\$35) which shall not be refunded, except that applicants who are found ineligible to take an examination for a certificate of registration are entitled to a refund of twenty dollars (\$20).

(c) The fee for applicants for a certificate of registration who have previously taken the examination for such a certificate is twenty dollars (\$20).

(d) The fee for the restoration of a certificate of registration after suspension for nonregistration is twenty-five dollars (\$25).

(e) The fee for renewal of a certificate of registration shall be fixed by the board at not more than seventy dollars (\$70) nor less than forty dollars (\$40) for the biennial renewal period ending on January 31, 1965, and for each biennial renewal period thereafter.

(f) The initial certificate fee is an amount equal to the fee for renewal of a certificate in effect on the last regular renewal

date before the date on which the certificate is issued, except that, if the certificate will expire less than 16 months after its issuance, then the initial certificate fee is an amount equal to fifty percent (50%) of the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued. The board may, by appropriate regulation, provide for the waiver or refund of the initial certificate fee where the certificate is issued less than 120 days before the date on which it will expire.

(g) The delinquency fee is twenty-five dollars (\$25).

(h) The annual fee for the renewal of a branch office license is fifteen dollars (\$15).

(i) The fee for a branch office license is fifteen dollars (\$15).

(j) The penalty for failure to pay the annual fee for renewal of a branch office license is fifteen dollars (\$15).

(k) The fee for restoration of a certificate of registration after suspension for failure to comply with the provisions of this chapter relating to branch offices is twenty-five dollars (\$25).

(l) The fee for issuance of a duplicate certificate of registration upon loss of an original certificate of registration or upon change of name authorized by law of a person holding a certificate of registration under this chapter is five dollars (\$5).

CHAPTER 3

An act to amend Sections 6011 and 6012 of, and to add Section 6012.5 to, the Revenue and Taxation Code, relating to sales and use taxation.

[Approved by Governor April 11, 1962 Filed with
Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 6011 of the Revenue and Taxation Code is amended to read:

6011. "Sales price" means the total amount for which tangible personal property is sold, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:

(a) The cost of the property sold.

(b) The cost of materials used, labor or service cost, interest charged, losses, or any other expenses.

(c) The cost of transportation of the property, except as excluded by other provisions of this section.

The total amount for which the property is sold includes all of the following:

(a) Any services that are a part of the sale.

(b) Any amount for which credit is given to the purchaser by the seller.

(c) The amount of any tax imposed by this State that is conclusively presumed to be a direct tax on the retail consumer precollected by the seller for the purpose of convenience and facility only.

“Sales price” does not include any of the following :

(a) Cash discounts allowed and taken on sales.

(b) The amount charged for property returned by customers when that entire amount is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

(c) The amount charged for labor or services rendered in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(e) The amount of any tax imposed by any city, county or city and county within the State of California upon or with respect to retail sales of tangible personal property, measured by a stated percentage of sales price or gross receipts, whether imposed upon the retailer or the consumer.

(f) The amount of any tax imposed by any city, county or city and county within the State of California with respect to the storage, use or other consumption in such city, county or city and county of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer.

(g) Separately stated charges for transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, but the exclusion shall not exceed a reasonable charge for transportation by facilities of the retailer or the cost to the retailer of transportation by other than facilities of the retailer; provided, that if the transportation is by facilities of the retailer, or the property is sold for a delivered price, this exclusion shall be applicable solely with respect to transportation which occurs after the purchase of the property is made.

(h) The amount of any motor vehicle fee or tax imposed by and paid to the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle.

SEC. 2. Section 6012 of said code is amended to read:

6012. “Gross receipts” mean the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or

otherwise, without any deduction on account of any of the following:

(a) The cost of the property sold. However, in accordance with such rules and regulations as the board may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the State or has paid the use tax with respect to the property, and has resold the property prior to making any use of the property other than retention, demonstration, or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property.

(b) The cost of the materials used, labor or service cost, interest paid, losses, or any other expense.

(c) The cost of transportation of the property, except as excluded by other provisions of this section.

The total amount of the sale or lease or rental price includes all of the following:

(a) Any services that are a part of the sale.

(b) All receipts, cash, credits and property of any kind.

(c) Any amount for which credit is allowed by the seller to the purchaser.

(d) The amount of any tax imposed by this State that is conclusively presumed to be a direct tax on the retail consumer precollected by the seller for the purpose of convenience and facility only.

"Gross receipts" do not include any of the following:

(a) Cash discounts allowed and taken on sales.

(b) Sale price of property returned by customers when the full sale price is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

(c) The price received for labor or services used in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(e) The amount of any tax imposed by any city, county or city and county within the State of California upon or with respect to retail sales of tangible personal property measured by a stated percentage of sales price or gross receipts whether imposed upon the retailer or the consumer.

(f) The amount of any tax imposed by any city, county or city and county within the State of California with respect to

the storage, use or other consumption in such city, county or city and county of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer.

(g) Separately stated charges for transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, but the exclusion shall not exceed a reasonable charge for transportation by facilities of the retailer or the cost to the retailer of transportation by other than facilities of the retailer; provided, that if the transportation is by facilities of the retailer, or the property is sold for a delivered price, this exclusion shall be applicable solely with respect to transportation which occurs after the sale of the property is made to the purchaser.

(h) The amount of any motor vehicle fee or tax imposed by and paid to the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle.

For purposes of the sales tax, if the retailers establish to the satisfaction of the board that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed.

SEC. 3. Section 6012.5 is added to said code, to read:

6012.5. Nothing in Sections 6011 and 6012 shall affect the exemption afforded under Section 6385 to sales of tangible personal property to a common carrier under the circumstances set forth in Section 6385.

SEC. 4. It is not the intent of the Legislature in the enactment of this act to affect the application of the sales or use tax to any charges other than those for the final transportation of property to the purchaser.

CHAPTER 4

An act to amend Section 7729 of the Business and Professions Code, relating to the Board of Funeral Directors and Embalmers.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 7729 of the Business and Professions Code is amended to read:

7729. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

(a) The application fee for a funeral director's license is thirty-five dollars (\$35).

- (b) The fee for change of location is twenty dollars (\$20).
- (c) The fee for permission to assign a funeral director's license is fifteen dollars (\$15).
- (d) The application fee for an embalmer's license is twenty-five dollars (\$25).
- (e) The application fee for a certificate of registration as an apprentice is one dollar (\$1).
- (f) The renewal fee payable by a licensed funeral director shall be fixed by the board at not more than one hundred ten dollars (\$110), nor less than thirty dollars (\$30).
- (g) The renewal fee payable by a licensed embalmer shall be fixed by the board at not more than thirty dollars (\$30) nor less than ten dollars (\$10).
- (h) The renewal fee payable by a registered apprentice shall be fixed by the board at not more than six dollars (\$6) nor less than two dollars (\$2).
- (i) The delinquency fee for failure to pay a funeral director's renewal fee is twenty-five dollars (\$25).
- (j) The delinquency fee for failure to pay an embalmer's renewal fee is ten dollars (\$10).
- (k) The delinquency fee for failure to pay an apprentice's renewal fee is five dollars (\$5).
- (l) The fee for permission to change the name appearing on the license is ten dollars (\$10).
- (m) The fee for a duplicate funeral director's license is five dollars (\$5).
- (n) The fee for a duplicate embalmer's license is five dollars (\$5).
- (o) The fee for a duplicate certificate of registration is one dollar (\$1).
- (p) The initial license fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the license or certificate is issued, except that if the license or certificate will expire within one year after its issuance, then the initial license fee is an amount equal to fifty percent (50%) of the renewal fee in effect on the last regular renewal date before the date on which the license or certificate is issued. The board may, by appropriate regulation, provide for the waiver or refund of the initial license fee where the license or certificate is issued less than 45 days before the date on which it will expire.

CHAPTER 5

An act to amend Section 2458 of the Business and Professions Code, relating to fees charged by the Board of Medical Examiners.

[Approved by Governor April 19, 1962 Filed with
Secretary of State April 23, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 2458 of the Business and Professions Code is amended to read:

2458. The amount of fees and refunds prescribed by this chapter in connection with physicians and surgeons certificates, certificates to practice chiropody, certificates to practice midwifery, certificates of drugless practitioners, and certificates of naturopaths is that fixed by the following schedule:

(a) The fee for each applicant for a certificate by written examination, unless otherwise provided in this chapter, shall be fixed annually by the board at an amount not to exceed fifty dollars (\$50) nor less than fifteen dollars (\$15). If the applicant's credentials are insufficient or if he does not desire to take the examination, the sum of ten dollars (\$10) shall be retained and the remainder of the fee is returnable on application.

(b) Each applicant for a certificate based upon a national board diplomate certificate, and each applicant for a reciprocity certificate, shall pay an application fee in the sum of ten dollars (\$10) at the time his application is filed. If the applicant qualifies for a certificate, he shall be notified and, in addition to the initial license fee, shall pay a fee which shall be fixed annually by the board at a sum not in excess of one hundred dollars (\$100) nor less than five dollars (\$5) for the issuance of the certificate.

(c) Each applicant for a certificate under Article 6 shall pay an application fee in the sum of ten dollars (\$10) at the time his application is filed. If the applicant qualifies for a certificate, he shall be notified and, in addition to the initial license fee, shall pay a fee which shall be fixed annually by the board at a sum not in excess of forty dollars (\$40) nor less than five dollars (\$5) for the issuance of the certificate.

(d) The renewal fee shall be fixed by the board at a sum not in excess of twenty dollars (\$20) nor less than two dollars (\$2).

(e) The delinquency fee is ten dollars (\$10).

(f) The duplicate certificate fee is two dollars (\$2).

(g) The endorsement fee is five dollars (\$5).

(h) The fee for issuance of a duplicate certificate upon a change of name authorized by law of a person holding a certificate under this chapter shall be two dollars (\$2).

(i) The initial license fee is an amount equal to the renewal fee in effect on the last regular renewal date before

the date on which the license is issued, except that if the license will expire less than one year after its issuance, then the initial license fee is an amount equal to fifty percent (50%) of the renewal fee in effect on the last regular renewal date before the date on which the license is issued.

CHAPTER 6

An act to amend Section 23754 of, and to add Section 23754.3 to, the Education Code, relating to the California State Colleges.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 23754 of the Education Code is amended to read:

23754. Except as otherwise specially provided, an admission fee and rate of tuition fixed by the trustees shall be required of each nonresident student. The rate of tuition to be paid by each nonresident student shall not be less than three hundred sixty dollars (\$360) per year, except that the rate of tuition to be paid by each nonresident student who is a citizen and resident of a foreign country shall be two hundred fifty-five dollars (\$255) per year.

No admission fee or tuition fee shall be required of any student who is a citizen and resident of a foreign country and who attends a state college under an agreement entered into by a governmental agency formed under the Constitution or laws of this State or a nonprofit corporation or organization so formed, with a similar agency, or corporation or association, domiciled in and organized under the laws of a foreign country, where a principal purpose of the agreement is to encourage the exchange of students with the view of enhancing international good will and understanding. The trustees shall, in each instance, determine whether the conditions for such exemption from fees exist and may prescribe appropriate procedures to be complied with in obtaining the exemption.

No admission fee or tuition fee shall be required of any nonresident student who is the child of an academic or administrative employee of the California State Colleges, when such exemption from fees has been determined by the trustees to be essential in securing the services of the parent in employment as against other educational agencies or institutions where employment may be available to him.

SEC. 2 Section 23754.3 is added to said code, to read:

23754.3. The trustees shall have the power, on the basis of demonstrated financial need and scholastic achievement, to waive entirely, or to reduce below the rate, or the minimum rate, fixed by Section 23754, the tuition fee of a nonresident

student or a nonresident student who is a citizen and resident of a foreign country who is a graduate student of exceptional scholastic ability and prior scholastic achievement who is enrolled in a course of study of no less than 10 semester units.

The number of reductions and waivers granted by the trustees under this section shall at no time exceed twenty-five percent (25%) of the nonresident graduate students, including nonresident graduate students who are citizens and residents of a foreign country, then enrolled in the California State Colleges.

CHAPTER 7

An act to amend Section 6369 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes to take effect immediately.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 6369 of the Revenue and Taxation Code is amended to read:

6369. There are exempted from the taxes imposed by this part the gross receipts from the sale, and the storage, use, or other consumption, in this State of medicines prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed on prescription filled by a registered pharmacist in accordance with law, or supplied to his own patients by a physician and surgeon or podiatrist pursuant to Section 4051 of the Business and Professions Code, and also including furnishing of medicines to patients in a county or other licensed hospital if the medicines are prescribed for such patients and dispensed by a registered pharmacist or are administered under the direction of a physician pursuant to Section 4052.1 of the Business and Professions Code.

For the purpose of this section, the furnishing of medicines as above set forth to a patient in a county or other licensed hospital constitutes a retail sale, whether or not a charge is made for such furnishing or such medicines.

"Medicines" includes any drug defined pursuant to Section 4031 of the Business and Professions Code. "Medicines" do not include (a) any auditory, prosthetic, ophthalmic or ocular device or appliance nor (b) any alcoholic beverage the manufacture, sale, purchase, possession or transportation of which is licensed and regulated by the Alcoholic Beverage Control Act (Division 9, commencing with Section 23000, of the Business and Professions Code).

SEC. 2. The amendments of Section 6369 of the Revenue and Taxation Code made by Section 1 of this act are hereby

declared to be merely a clarification of the original intention of the Legislature, rather than a substantive change, and such Section 6369 shall be construed for all purposes as though it had always read as amended by Section 1 of this act.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 8

An act to amend Section 13164 of the Health and Safety Code, relating to fire extinguishers.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 13164 of the Health and Safety Code is amended to read:

13164. The original and annual renewal fee for any license for retail sales only issued pursuant to this article shall be one dollar (\$1) and for all other activities shall be thirty-five dollars (\$35).

Beginning January 1, 1962, the original and annual license fee for any license shall be for the calendar year from January 1 to December 31, or for the remaining portion thereof.

A penalty fee equal to 50 percent of the required original and annual renewal license fee shall be added to such fee in all cases where the fee for a renewal of a license is not paid on or before April 1.

CHAPTER 9

An act to amend Section 13521 of the Penal Code, relating to penalty assessments for criminal offenses.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 13521 of the Penal Code is amended to read:

13521. On and after the effective date of this section, there shall be levied a penalty assessment in an amount equal to 5 percent of every fine, penalty, and forfeiture imposed and collected by the courts for criminal offenses, other than a fine, penalty or forfeiture for a violation of the Vehicle Code, or for any local ordinance relating to the stopping, standing, parking, or operation of a vehicle, and other than for a violation of the Fish and Game Code. When a fine is suspended, in whole

or in part, the penalty assessment shall be reduced in proportion to the suspension.

When any deposit of bail is made for an offense to which this section applies, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed in this section for forfeited bail. If bail is forfeited, the amount of such assessment shall be transmitted by the clerk of the court to the county treasury and thence to the State Treasury pursuant to this section. If bail is returned, the assessment made thereon pursuant to this section shall also be returned.

After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the county treasury. It shall then be transmitted to the State Treasury to be deposited in the Peace Officers' Training Fund. The transmission to the State Treasury shall be carried out in the same manner as fines collected for the State by a county.

In any case where a person convicted of any offense to which this section applies is imprisoned until the fine is satisfied, the judge may waive all or any part of the penalty assessment the payment of which would work a hardship on the person convicted or his immediate family.

CHAPTER 10

An act to amend Section 9039 of the Business and Professions Code, relating to license fees of registered social workers.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 9039 of the Business and Professions Code is amended to read:

9039. The amount of the fees prescribed by this chapter is within the range fixed by the following schedule, the exact amount thereof to be determined annually by the board upon the basis of its needs for the proper enforcement of this chapter:

(a) The application fee is not less than five dollars (\$5) nor more than ten dollars (\$10).

(b) The annual renewal fee is not less than three dollars (\$3) nor more than eleven dollars (\$11).

(c) The application fee for a student who has satisfactorily completed at least one year of full-time graduate study in an approved school of social work and who is enrolled full-time in an approved school of social work shall be five dollars (\$5).

(d) The delinquent fee for failure to pay the annual renewal fee on or before the last day of March shall be five dollars (\$5).

CHAPTER 11

An act relating to state property, including tide and submerged lands granted to the City of Vallejo, and in this connection authorizing the Director of Finance to dispose of property belonging to the State, and repealing Chapter 1937 of the Statutes of 1959.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 23, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The Director of Finance is hereby authorized to sell, exchange, or otherwise dispose of, for current market value and upon such terms and conditions and with such reservations and exceptions as in his opinion may be for the best interest of the State, all or any part of the following real property:

Parcel 1. Lot 19 in Block 50, in Ventura Cemetery, City of San Buenaventura, County of Ventura, State of California.

Parcel 2. Approximately 1.44 acres, being that portion of the Rancho San Antonio, in the City of Los Angeles, County of Los Angeles, State of California, as described in that certain deed recorded on March 6, 1940 in Book 17301 at Page 252, Official Records of Los Angeles County.

Parcel 3. Approximately 160 acres in the County of San Bernardino, State of California, being the Northeast $\frac{1}{4}$ of Section 11, Township 8 North, Range 4 West, SBB&M.

Parcel 4. Lot 1 in Block 26 of the Town of Coachella, County of Riverside, State of California, as shown by Map on file in Book 4, Page 52 of Maps, Records of Riverside County; containing 6,250 square feet, more or less.

Parcel 5. Approximately 30.7 acres in the County of Riverside, State of California, being Lots "E" and "F" of Subdivision of Section 31, Township 5 South, Range 8 East, SBB&M as shown by Map on file in Book 5, Page 126 of Maps, Records of Riverside County.

Parcel 6. Lot 4 of the H. W. Stoll Tract in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in Book 6, Page 99 of Maps, in the Office of the County Recorder; containing 6500 square feet, more or less.

Parcel 7. Approximately 11.6 acres in the City of Berkeley, County of Alameda, State of California, being the unused portion of the California School for the Deaf campus bounded on the east and south by the existing campus boundaries, on the west by the tennis courts and athletic field, and on the north by a ravine.

Parcel 8. Approximately 30 residences and sites, including existing streets and park area, comprising a total of approximately 7 acres, being the employees' residence area at the Preston School of Industry near the City of Ione, County

of Amador, State of California. Individual parcels may be sold for current market value to employees of the school.

Parcel 9. The Department of the California Highway Patrol building and site at 525 North Main Street in the City of Yreka, State of California.

Parcel 10. Approximately four acres along Akard Street and extending eastward along Locust Street, lying north of the Department of Fish and Game office building in the City of Redding, State of California, being a portion of the Department of Fish and Game site in said city; provided that the purchaser of such property agrees to construct improvements thereon and to lease the same to the State, acting by and through the Director of Finance, with an option in favor of the State to purchase such property and improvements, or providing that the property and improvements shall vest in the State upon expiration of the lease, and otherwise upon such terms and conditions as the Director of Finance deems to be in the best interests of the State. The proceeds of such sale, subject to Section 6 hereof, shall be paid into the Fish and Game Preservation Fund.

Parcel 11. Approximately one acre in the City of Fresno, County of Fresno, State of California, being a portion of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 23, Township 14 South, Range 20 East, M.D.B.&M., being a portion of the Fresno Poultry and Animal Disease Diagnostic Laboratory, Department of Agriculture.

Parcel 12. Approximately four acres known as the Fall Creek Hatchery property of the Department of Fish and Game as described in that certain deed recorded on June 23, 1919, in Volume 100, Page 231. Official Records of Siskiyou County. The proceeds of such sale, subject to Section 6 of this act, shall be paid into the Fish and Game Preservation Fund.

SEC. 2. The Director of Finance is hereby authorized to quitclaim to the City of Holtville, in the County of Imperial, State of California, at no cost to the City, all Lots 1 through 7, Block 44, Townsite of Holtville, as per map number 908 on file in the Office of the County Recorder of Imperial County.

The City of Holtville, by deed dated June 28, 1957, granted this property to the State at no cost for an armory upon condition that it would revert to the city if construction of the armory was not commenced within five years. Due to reorganization of the California National Guard construction of the armory was never commenced and the site is no longer needed. A quitclaim by the State is necessary to clear title to the city.

SEC. 3. The Director of Finance is hereby authorized to execute such documents as may be necessary to correct boundary lines between the Bieber Forest Fire Station and property owned by the County of Lassen situated in the Northwest $\frac{1}{4}$ of Section 23, Township 38 North, Range 7 East, MDB&M, County of Lassen, State of California, provided there is no charge made in connection therewith by said county.

By deed dated July 15, 1946, the County of Lassen intended to donate a three-acre parcel between a corporation yard and a county park to the State for use as a forest fire station. Because the deed description was based on an incorrectly located monument, strips of land were left on each side of the fire station upon which the county and State have each constructed improvements on the other's land. Both the county and State are desirous of correcting the boundary discrepancy.

SEC. 4. A copy of each conveyance executed and delivered or received by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission.

SEC. 5. Prior to the sale of parcels of property for value pursuant to this act, notice thereof shall be posted on the property to be sold and shall be published pursuant to Government Code Section 6061 in a newspaper published in the county in which the real property to be sold is situated; provided, the requirement shall not be applicable to the disposition of said parcels to any federal, state or local governmental agency.

SEC. 6. Any costs or expenses incurred in the sale or other disposition of any parcel herein referred to shall be reimbursed from the proceeds of such sale or disposition.

SEC. 7. Subject to Section 6 hereof, any moneys received from the sale or the disposition of said property shall be paid into the General Fund, except that any moneys received from the sale or the disposition of Parcels 10 and 12 shall be paid into the Fish and Game Preservation Fund.

SEC. 8 Chapter 1937 of the Statutes of 1959 is repealed.

SEC. 9. The authority vested in the Director of Finance, pursuant to Section 1, Chapter 6 of the Statutes of 1960, to dispose of that certain parcel of real property designated therein as Parcel 7, shall include the authority to enter into a long-term lease with the City of Napa upon such terms and conditions as the Director of Finance deems to be in the best interests of the State. Any such lease may include an option in favor of the City of Napa to purchase such real property.

SEC. 10. The parcel to which the provisions of Sections 10 and 11 of this act are applicable consists of that portion of the tide and submerged lands heretofore conveyed to the City of Vallejo upon certain trusts and conditions by Chapter 310 of the Statutes of 1913, more fully described as follows:

Bounded on the Northeast by the Southwesterly boundaries of lands heretofore conveyed by Patents from the State of California to private individuals as tideland surveys; and

Bounded on the West, Southwest and Southeast by a line particularly described as:

Beginning at a point located by commencing at the intersection of the South line of Pennsylvania Street with the East line of Santa Clara Street according to the official map of the City of Vallejo filed September 19, 1868 in Book 1 of Maps at Page 123; thence South 88° 53' 30" East, 655 feet to the True Point of Beginning (said true point of beginning being marked by Monument No. 101 of the Record of Survey and

Partition Map filed in the Office of the County Recorder of Solano County, California on April 29, 1952 in Book 2 of Surveys, Page 37); thence due South 114.85 feet to a point on the existing timber bulkhead constructed by the City of Vallejo during the year 1914; thence due South 293 feet to a point on the combined pierhead and bulkhead line as established by the U.S. Army Corps of Engineers; thence S. $38^{\circ} 43' 53''$ E. along said combined U.S. Pierhead and Bulkhead line a distance of 4070.25 feet, more or less to a point on the Northwesterly boundary of the area described in Deed to Basalt Rock Company dated May 25, 1934 and recorded in the office of the County Recorder of said County in Book 124 of Official Records at Page 305; thence N. $54^{\circ} 14' 45''$ E. along the boundary of the area described in said Deed a distance of 301.88 feet to a point on the aforementioned existing timber bulkhead constructed by the City of Vallejo in the year 1914; thence continuing N. $54^{\circ} 14' 45''$ E. along said boundary described in Deed to Basalt Rock Company a distance of 220 feet, more or less, to a point on the Southwest boundary of Tideland Survey No. 25-A, sometimes referred to as No. 25.

SEC. 11 (a) In addition to the purposes expressed in Chapter 310 of the Statutes of 1913, the tide and submerged lands included in the parcel described in Section 10 may be used by the City of Vallejo and its successors for purposes in which there is a general statewide purpose as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient, for the promotion and accommodation of commerce and navigation.

(2) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair and maintenance of commercial and industrial buildings, plants and facilities.

(3) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(4) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this section.

(5) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and

meeting places, convention centers, parks, playgrounds, bath-houses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(6) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snack bars, cafes, restaurants, motels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(b) The city or its successors shall not, at any time, grant, convey, give or alienate lands included in the parcel described in Section 10, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may, notwithstanding any provision in Chapter 310 of the Statutes of 1913 to the contrary, grant franchises thereon for limited periods, not exceeding 99 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 99 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation. Nothing contained in this section shall be deemed to affect the validity or term of any franchise granted by said city under the Franchise Act of 1937 or said city's charter, and any such franchise shall be effective with respect to said lands.

(c) Said lands shall be improved without expense to the State; provided, however, that nothing contained in this section shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the State, or any board, agency or commission thereof, when authorized or approved by the city, nor by the city of any funds received for such purpose from the State or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft, aircraft, or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument said lands and record a description and plat thereof in the office of the County Recorder of Solano County.

(j) If said lands, or any part thereof, are not used for the additional purposes authorized by this section within 10 years from the effective date of said section, or if such use is discontinued thereafter, the authorization to use said lands for such additional purposes shall automatically terminate and lapse.

CHAPTER 12

An act to amend Section 6956 of, and to add Section 6956.1 to, the Business and Professions Code, relating to license fees of collection agencies, to take effect immediately.

[Approved by Governor April 19, 1962 Filed with
Secretary of State April 23, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 6956 of the Business and Professions Code is amended to read:

6956. (a) Except as otherwise provided in Section 6956.1, the director shall charge and collect the following fees:

(1) An original license fee of three hundred dollars (\$300).

(2) A continuation fee which shall be set by the director annually at not more than two hundred dollars (\$200) and not less than one hundred fifty dollars (\$150).

(3) A duplicate license fee of twenty dollars (\$20).

(4) A temporary license fee of fifty dollars (\$50).

(5) A delinquency fee of twenty dollars (\$20).

(6) An examination fee of seventy-five dollars (\$75).

(7) A copy fee of twenty-five cents (\$0.25) per 100 words copied.

(8) A reinstatement fee equal to the amount of the annual continuation fee plus a penalty of 50 percent thereof.

(9) A fee of ten dollars (\$10) for each addressograph list of licensees in good standing.

(10) For issuance of a qualification certificate, twenty dollars (\$20), except that the fee for issuance of the qualification certificate shall be waived if the certificate is issued less than 45 days before the date on which the continuation fee is due and payable.

(11) For continuation of a qualification certificate, twenty dollars (\$20).

(12) For reinstatement of a qualification certificate under Section 6893, forty dollars (\$40).

(b) The director shall furnish one copy of any issue or edition of the licensing law and rules and regulations to any applicant or licensee without charge; and shall charge and collect a fee of one dollar (\$1) plus sales tax for each additional copy which may be furnished on request to any applicant or licensee, and for each copy furnished on request to any other person.

Sec. 2. Section 6956.1 is added to said code, to read:

6956.1. Commencing June 1, 1962, and through May 31, 1963, the original license fee required by this chapter shall be in the amount of four hundred dollars (\$400) and the continuation fee shall be in the following amounts:

(a) For licensees with less than four (4) employees, two hundred dollars (\$200).

(b) For licensees with more than three (3) employees but less than eight (8) employees, two hundred fifty dollars (\$250).

(c) For licensees with more than seven (7) employees, three hundred dollars (\$300).

For purposes of this section the number of employees shall be determined as of March 31, 1962, and the term "employees" shall exclude every individual having an ownership interest in the licensed business, and his spouse. Commencing June 1, 1963, the original license fee and the continuation fee shall be in the amounts prescribed by Section 6956.

Sec. 3. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

CONCURRENT AND JOINT
RESOLUTIONS

REGULAR SESSION

1962

CONCURRENT AND JOINT RESOLUTIONS

ADOPTED AT THE 1962 REGULAR SESSION
OF THE LEGISLATURE

CHAPTER 1

Senate Concurrent Resolution No. 1—Approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of the city at an election held therein on the 13th day of June, 1961.

[Filed with Secretary of State February 13, 1962]

WHEREAS, Proceedings have been had for the purpose of adoption and ratification of certain amendments, hereinafter set forth, to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, as set out in the certificate of the Mayor and City Clerk of the City of Petaluma as follows:

CERTIFICATE OF AMENDMENT TO CHARTER OF THE CITY OF PETALUMA, CALIFORNIA

State of California }
County of Sonoma }
City of Petaluma }

We, the undersigned Everett A. Matzen, Mayor of the City of Petaluma, and Gladys R. Wallin, City Clerk of the City of Petaluma, do hereby certify and declare as follows:

That the City of Petaluma is a Municipal Corporation in the County of Sonoma, State of California, and is now, and at all times hereinafter referred to, was a City containing a population of more than 3,500 inhabitants and less than 50,000 inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States.

That said City of Petaluma is now organized, existing and acting under a Freeholders' Charter, adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which Charter was duly ratified by the qualified electors of said City at an election duly held for that purpose on June 10, 1947, and approved by the Legislature of the State of California by concurrent Resolution No. 64 filed with the Secretary of State on June 20, 1947.

That in pursuance of Section 8, Article XI of the Constitution of the State of California and on its own motion, the Council of the City of Petaluma, being the legislative body of said City, duly and regularly submitted to the qualified electors of said City of Petaluma, proposals for amendments of the Charter of said City to be voted upon by said qualified electors at a regular election held in said City on the 13th day of June, 1961.

That said proposed amendments were published and advertised in the form and manner and for the length of time, and in accordance with the provisions of Section 8, Article XI of the Constitution of the State of California, in the Argus Courier, a newspaper of general circulation printed and published at and within the City of Petaluma, County of Sonoma, State of California, and the official newspaper of said City. The publication of said proposed amendments was completed April 27, 1961, a date which was not less than forty (40) days and not more than sixty (60) days from the date of the election set and called for the 13th day of June, 1961.

That the election at which said proposed charter amendments were voted upon was, by resolution, set and called for the 13th day of June, 1961, which date was not less than fifty-four (54) days, nor more than seventy-five (75) days after the completion of the publication of the notice of said election and which date was not less than fifty-four (54) days and not more than seventy-five (75) days after the completion of said advertising in the official newspaper as aforesaid, said advertising having been completed on the 8th day of April, 1961.

That thereafter the City Council of the City of Petaluma did, in the manner provided by law, duly and regularly canvass the returns of said election and that said Council, by resolution adopted on the 19th day of June, 1961, declared the results of said election as determined from the canvass of the returns thereof.

That at said election held on the 13th day of June, 1961, seven (7) charter amendments were submitted to the electorate of the City of Petaluma and of said proposed charter amendments two (2) were ratified and adopted by a majority of said City; that said proposed charter amendments so ratified by the electors of the said City of Petaluma propose to amend Sections 64 and 69 of the Charter of the City of Petaluma to read as follows:

“Section 64. The City Clerk and Auditor shall be appointed by the City Council and shall serve at its pleasure. Payments by the City shall be made only upon vouchers certified by the head of the appropriate department and approved by the City Manager, by means of warrants on the City Treasury issued by the Auditor and countersigned by the City Manager or by means of checks signed by the Auditor and countersigned by the City Treasurer. The Auditor shall examine all payrolls, bills, and other claims and demands against the City, and shall issue no warrant or check for payment unless he finds

the claim is in proper form, correctly computed and duly certified; that it is justly and legally due and payable; that a budget appropriation has been made therefor which has not been exhausted, or that the payment has been otherwise legally authorized; and that there is money in the City Treasury to make payment."

"Section 69. The Council shall let annually, contracts for the official advertising for the ensuing fiscal year. For this purpose the Council shall advertise once in the official newspaper, at least five days before award of contract, setting forth distinctly and specifically the work contemplated to be done and ask for sealed proposals therefor. The proposal shall specify the type and spacing to be used at the rates named in the bids. If there be but one newspaper printed and published in the City of Petaluma then and in that event the advertisement for the sealed proposals required hereunder shall not be required and the contract for services required may be negotiated. If at the time of awarding the contract for the official advertising, there are no charter or ordinance provisions requiring publication more frequently than once each week of any ordinance, resolution, regulation, or advertisement of, or proceedings by the City, or any body or official thereof, the Council shall let the contract for such official advertising to the lowest responsible bidder printing and publishing a daily or weekly newspaper in the City. If however, at such time there is any charter or ordinance requiring publication more frequently than once each week of any ordinance, resolution, regulation, or advertisement of, or proceedings by the City, or any body or official thereof, the Council shall let the contract for such official advertising to the lowest responsible bidder printing and publishing a daily or weekly newspaper in the City.

In order to qualify as the official newspaper of the City, such newspaper shall be of general circulation and have been in existence at the time of the awarding of the contract at least one year. The Council may reject any and all bids if found excessive and advertise for new bids.

The newspaper to which such award of advertising is made shall be known and designated as the official newspaper.

Nothing herein contained shall prevent the City or any body or officer thereof from causing any ordinance, resolution, regulation, or advertisement of, or proceeding by said City to be published in a newspaper in the City, in addition to the official newspaper, if such body or officer determines that such additional publication is necessary or proper."

That we have compared the foregoing amendments with the original proposal submitting the same to the electors of said City and find that the foregoing is a full, true, correct and exact copy thereof.

That in all matters and in all things pertaining to said Charter amendments, all the provisions of Section 8 of Article XI of the Constitution of the State of California, and the laws

of said State, have been fully complied with in each and every particular.

In witness whereof, we have hereunto set our hands and caused the corporate seal of said City of Petaluma to be affixed hereto this 27th day of November, 1961.

(SEAL)

EVERETT A. MATZEN
Mayor, City of Petaluma

Attest: GLADYS R. WALLIN
City Clerk

WHEREAS, The proposed amendments so ratified as hereinabove set forth have been and are now duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all members elected to each house voting thereon and concurring therein. That the amendments to the charter of the City of Petaluma, as proposed to and adopted and ratified by the qualified electors of the City of Petaluma, are hereby approved as a whole without amendment or alteration for and as amendments to and as a part of the charter of the City of Petaluma

CHAPTER 2

Senate Concurrent Resolution No. 2—Approving amendments to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election and consolidated special municipal charter amendment election and consolidated special municipal low rent housing project election held therein on Tuesday, October 10th, 1961.

[Filed with Secretary of State February 13, 1962]

WHEREAS, The City of Stockton in the County of San Joaquin, State of California, contains a population of over 86,000 as ascertained by the last preceding census taken under the authority of the Congress of the United States, and has been ever since July 2, 1923, and now is, organized and acting under a freeholders charter adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the electors of said city at a special election held for that purpose on the 28th day of November, 1922, and approved by the Senate of the State of California on January 22, 1923, and by the Assembly of the State of California on January 24,

1923, and filed with the Secretary of State on January 29, 1923, which said freeholders charter is printed in full in Chapter 7 of concurrent and joint resolutions and constitutional amendments passed at the regular session of the 45th Legislature of the State of California and found in Statutes of 1923 at page 1321 and following; and

WHEREAS, Proceedings have been had for the adoption and ratification of certain amendments to the charter of the City of Stockton as set out in the certificate of the Mayor and City Clerk of the City of Stockton, to wit:

CERTIFICATE OF THE ADOPTION BY THE QUALIFIED ELECTORS OF THE CITY OF STOCKTON AT A GENERAL MUNICIPAL ELECTION AND CONSOLIDATED SPECIAL MUNICIPAL CHARTER AMENDMENT ELECTION AND CONSOLIDATED SPECIAL MUNICIPAL LOW RENT HOUSING PROJECT ELECTION HELD THEREIN AT THE 10TH DAY OF OCTOBER, 1961, OF CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF STOCKTON, STATE OF CALIFORNIA.

State of California, }
County of San Joaquin, } ss.
City of Stockton, }

We, Thomas E. Marnoch, mayor of the City of Stockton and B. L. Trahern, city clerk of the City of Stockton, do hereby certify as follows:

That the said City of Stockton in the County of San Joaquin, State of California, is now and at all of the times mentioned herein was a City containing a population of more than eighty-six thousand inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States; and

That said City of Stockton is now and at all of the times herein mentioned was organized and existing under a freeholders charter adopted pursuant to the provisions of section 8, article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the electors of said City at a special election held therein on the twenty-eighth day of November, 1922, and approved by the Legislature of the State of California on the twenty-fourth day of January, 1923 (Stat. 1923, page 1321), and filed with the secretary of state of the State of California on January twenty-nine, 1923; and

That pursuant to section 8 of article XI of the constitution of the State of California, the legislative body of said City, i.e., the City Council of said City, did on its own motion and pursuant to the provisions of said article and section of the Constitution of the State of California duly propose to the electors of the City of Stockton certain proposals for the amendment of the charter of said City to be voted upon by said qualified electors at a certain general municipal election and

consolidated special municipal charter amendment election and consolidated special municipal low rent housing project election held on October 10th, 1961, which said proposals were designated as Measure A, Measure B, and Measure C; and

That said proposed Charter amendments were, on the 21st day of August, 1961, duly published in each issue of the Stockton Daily Record, a daily newspaper published and circulated in the City of Stockton and the official newspaper of said City, said paper having been designated for said purpose by the said City Council; and

That said City Council did, by Resolution No. 22,984 adopted on August 14th, 1961, fix October 10th, 1961, the date of the general municipal election and consolidated special municipal charter amendment election and consolidated special municipal low rent housing project election in Stockton, as the date of the election on said proposed charter amendments.

That said proposed charter amendments were printed in convenient pamphlet form and in type of not less than ten-point, and that the clerk of the City of Stockton caused copies of said proposed charter amendments to be mailed, postage prepaid, to each of the qualified electors of the City of Stockton as required by law.

That the City Clerk of the City of Stockton did, commencing August 21st, 1961, and continuing through October 10th, 1961, the date of the election, advertise in the Stockton Daily Record, a newspaper of general circulation in said city, and the official newspaper for said City, a notice that copies of said proposed charter amendments might be had upon application at the office of the said City Clerk.

That said general municipal election and consolidated special municipal charter amendment election and consolidated special municipal low rent housing project election was held in the said City of Stockton on the tenth day of October, 1961, which said day was not less than forty, nor more than sixty days after the completion of the advertising of said proposed charter amendments in the Stockton Daily Record, the official newspaper of the City of Stockton, as hereinabove stated;

That at such general municipal election and consolidated special municipal charter amendment election and consolidated special municipal low rent housing project election held as aforesaid on said tenth day of October, 1961, a majority of the qualified voters of said City of Stockton voting thereon voted in favor of three proposed amendments to the Charter of the City of Stockton and duly ratified the same;

That said proposed amendments to the Charter of the City of Stockton as aforesaid were and are amendments designated Measure A, Measure B, and Measure C.

That the City Council of said City of Stockton after duly and regularly canvassing the returns of said municipal election at the time and in the manner and form prescribed by law duly found, determined and declared that a majority of

the qualified voters of the City of Stockton voting thereon had voted for and ratified the proposed amendments to the Charter of the City of Stockton designated Measure A, Measure B, and Measure C;

That said proposed amendments to the Charter of the City of Stockton ratified by the electors of said city, as aforesaid, are in the words and figures as follows, to-wit:

Charter Amendment Measure A

That the Charter of the City of Stockton be amended by amending Section 4 of Article XXIII to read as follows:

"Section 4. Any contract may provide for progressive payments if, in the ordinance or resolution authorizing or ordering the work, permission is given for such payments. But no progressive payments can be provided for or made at any time which, with prior payments, if there have been such, shall exceed in amount at that time ninety per cent of the value of the labor done and the materials used up to that time, and no contract shall provide for, or authorize, or permit the payment of more than ninety per cent of the contract price before the completion of the work done under said contract and the acceptance thereof by the proper officer."

Charter Amendment Measure B

That the Charter of the City of Stockton be amended by amending Sections 7 and 10 of Article XXIV to read as follows:

"Section 7. The petition of nomination shall contain not less than ten nor more than twenty-five signatures of electors fully qualified to sign same and shall read substantially as follows:

Petition of Nomination of _____

Candidate for the office of _____

We, the undersigned, hereby join in a petition for the nomination of _____ whose residence is No. _____ Street, Stockton, California, for the office of _____ to be voted for at the _____ municipal election to be held in the City of Stockton, California, on the _____ day of _____, 19____; we certify that we are qualified electors of the City of Stockton, duly qualified to sign this petition, residing at the places herein mentioned; that we are not at this time a signer of any other petition nominating any other candidate for the above named office; and we further declare that we intend to support for such nomination the candidate named herein.

Date	Name	Residence	City District No."
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"Section 10. Every petition for nomination may be circulated by one or more electors of the City of Stockton who, in the case of a petition of nomination for a member of the City Council, must reside in the same City district hereinabove provided, wherein the candidate named in the petition resides. Petitions for nomination shall be filed with the city clerk no later than the thirty-fifth day before the day of election. Each petition shall have attached to it an affidavit made by the circulator of the petition. The affidavit shall be subscribed and sworn to before the city clerk, and shall state that the affiant solicited and saw written the signatures appearing thereon and that said signatures were subscribed thereto on the dates appearing thereon. The affidavit shall also state that according to the best information and belief of the affiant:

(a) Each signature is the genuine signature of the person whose name it purports to be.

(b) Each signer is a qualified elector of the City of Stockton, and in the case of a petition of nomination for a member of the City Council, resides in the same city district hereinabove provided, wherein the candidate named in the petition resides."

Charter Amendment Measure C

That the Charter of the City of Stockton be amended by amending Sections 2, 6(c), 8(b), 8(c), 8(g), 9, 11, 29, 32.5 and 33 of Article XXXII and by adding Section 31.5 to Article XXXII to read as follows:

"Section 2. Classified service of the City of Stockton shall include all employees of the fire department and the police department of said city including the chief of each department, providing the police chief shall be appointed and hold office as specified elsewhere in this act. Except as hereinafter expressly provided, all appointments and promotions in the fire department and/or the police department of the City of Stockton shall be made solely on merit, efficiency and fitness, which shall be ascertained by open, competitive examination and impartial investigation. No person shall be appointed to, reinstated in, or transferred, suspended, demoted or discharged from any such office, place, position or employment, contrary to the provisions of this act."

"Section 6. (c) Character and fitness. An applicant for a position of any kind under civil service in the fire department shall be not less than 21 years nor more than 29 years on the date of his appointment. An applicant for original appointment to a position of any kind under civil service in the police department shall have reached his 21st birthday on the date of his application and shall not have reached his 33rd birthday on the date of his appointment. In addition to the above, all applicants must pass a satisfactory physical medical examination, be of good moral character and of temperate and industrious habits. These facts to be ascertained in such manner as the commission may deem advisable. The commission may re-

quire a prerequisite educational background for eligibility for examination, a minimum intelligence quotient of not higher than 110, and not lower than 95, and a minimum of agility to be determined by an agility test. The I.Q. test to be used is to be comparable to the revised edition of the Army Alpha with the test selected by the Chief examiner."

"Section 8. (b) In examining applicants for original appointment list of eligibles, to the extent authorized by resolution of the Civil Service Commission, the chief examiner or his commission authorized representatives may use oral examinations provided that the score on such oral examinations shall not comprise more than 40% of a police applicant's aggregate score or more than 25% of a fire applicant's aggregate score. In such oral examinations the applicant may be examined on performance, education, training, experience, maturity of judgment, personality, aptitude and suitability for the position and response to interview. The procedures for the selection of the members of an Oral Examining Board for police entrance applicants shall be established by the commission in the rules and regulations."

"Section 8. (c) In examining or ranking applicants for promotional appointment list of eligibles, in the police department, to the extent authorized by resolution of the Civil Service Commission, the chief examiner or his commission authorized representatives may permit an oral examination to count not more than 30% of the aggregate score of an applicant for the rank of sergeant and 35% of the aggregate score of an applicant for ranks above sergeant. The procedures for the selection of the members of an Oral Board for police promotional applicants shall be established by the Commission in the rules and regulations. Seniority credit may be permitted to count not more than 5% provided that such credit shall be added only to the total passing score.

In examining or ranking applicants for promotional appointment list of eligibles, in the fire department, to the extent authorized by resolution of the Civil Service Commission, the chief examiner or his commission authorized representatives may permit efficiency reports and performance ratings compiled by the department at regular intervals during applicant's employment in existing rank to count not more than 25% of applicants aggregate score, may permit in-service training credit received in the department or in specialized courses out of the department to count not more than 10% of applicant's aggregate score and may permit seniority credit to count not more than 5% of applicant's score provided that such credit shall be added only to the total passing score.

Whatever rule is established by the Civil Service Commission to cover the percentage credit to be given to oral examinations, efficiency reports or performance ratings, or in service training credits or seniority credit shall apply to all examinations given in the affected department for at least one year after the adoption of the rule. Promotional examinations shall be

competitive and open only to persons appointed or inducted into the service under the provisions of this act."

"Section 8. (g) All members of the police department with not less than twelve months' service to be considered as eligible for the rank of patrolmen; all members of the police department with not less than five years' service to be considered as eligible for the rank of sergeant, and all members of said department who have held the rank of sergeant for at least two years last past continuously to be considered as eligible for the rank of lieutenant, and all members of said department who hold the rank of lieutenant to be considered as eligible for the rank of captain. All members of said department above the rank of patrolman are to be considered as eligible for the rank of police chief. Eligible lists for male and female members of the police department shall be separate and appointment shall be made from the list held appropriate for the position. Advancement in rank shall be within the sex of the member.

"Section 9. Whenever a position in the classified service of the police or fire department becomes vacant, the appointive officer, if he desires to fill the vacancy, shall make requisition upon the commission for the name and address of a person eligible for appointment thereto. The commission shall certify the name of the person highest on the eligible list from the class to which the vacant position has been allocated, who is willing to accept employment except in the case of appointing a first assistant fire chief. If more than one vacancy is to be filled an additional name shall be certified for each additional vacancy. On original appointment the appointing power shall appoint such persons to such vacant position on probation. On promotional police appointments, except those of chief, the appointing power shall appoint persons to such vacant position on probation for a period of six months.

During the probationary period for promotional police appointments and unless charges of dismissal or demotion are brought as elsewhere provided in this Charter, the appointing authority, upon the recommendation of the chief of the Police Department, may demote the appointee to his former rank, provided that the reasons are specified in writing, served on the person and filed with the Commission. Any person so demoted, may, within ten (10) days from the time of his demotion, file with the Commission a written demand for an investigation, whereupon the Commission shall conduct such investigation. The investigation shall be confined to the determination of the question as to whether such demotion was or was not made for political or religious reasons and was or was not made in good faith for cause. After such investigation, the Commission may affirm the demotion or, if it shall find that the demotion was made for political or religious reasons or was not made in good faith for cause, shall order the immediate reinstatement of such person to the office, place or position or employment from which such person was demoted, which rein-

statement shall if the Commission so provides, in its discretion, be retroactive and entitle such person to such pay or compensation as he would have received had he not been demoted. The findings of the Commission shall be certified in writing to the appointing power and shall be forthwith enforced by such officer. The Commission when conducting an investigation and hearing under this section shall consider that this promotional probationary period is regarded as an intrinsic part of the examination process and that the same is utilized for closely observing the promotional appointee's work, for securing the most effective adjustment of a probationer's qualifications to this higher rank and for the purpose of eliminating any probationer from attaining permanent status in said higher rank whose work performance does not meet the required standards of duties and responsibilities. The Commission shall make suitable rules and regulations regarding the measurement of such probationary period consistent with the provisions of the Civil Service Act and, in the Commission's opinion, consistent with good personnel administration.

Whenever a position of first assistant fire chief becomes vacant, the appointive officer, if he desires to fill the vacancy, shall make requisition upon the commission for the names of persons eligible for appointment thereto. The commission shall certify the three names at the top of the eligible list for such class or, in the event of two or more vacancies in the class, the commission shall certify two names more than the number of vacancies. If insufficient names are available to meet this requirement, the appointing authority may request additional certification, whereupon the civil service commission shall schedule and conduct an examination to provide the number of eligibles required. Any one of the names so certified may be appointed to the vacancy regardless of standing on the eligible list and not on probation.

Whenever requisition is to be made, or whenever a position is held by a temporary appointee and an eligible list for the class of such position exists, the commission shall forthwith certify the name of the person eligible for appointment to the appointing power and said appointing power shall forthwith appoint the person so certified, to said position. No person so certified shall be laid off, suspended, given leave of absence from duty, transferred or reduced in pay or grade, except for reasons which will promote the good of the service, specified in writing after an opportunity to be heard by the commission, and then only with its consent and approval.

Appointments shall be regarded as taking effect upon the date when the person certified for appointment reports for duty. A person tendered certification may waive or refuse certification in writing for a period for reasons satisfactory to the commission and such waiver or refusal shall not affect the standing or rights to certification to the first vacancy in the class occurring after the expiration of such period. If no such waiver or refusal has been filed and the period therefor has

expired and the person tendered certification fails to report for duty forthwith after tender of certification has been made, his name, may at the discretion of the commission, be stricken from all lists for such class. Acceptance or refusal of temporary appointment or of an appointment to a position exempt from the provisions of this list shall not affect the standing of any person on the list for permanent appointment."

"Section 11. If necessary to prevent the stoppage of public business or inconvenience to the public, but not otherwise, the appointing power, with the approval of the commission, may authorize the filling of a position by provisional appointment, pending the establishment of a re-employment or employment list. No person who does not possess the minimum required qualifications for such position, as may be prescribed by the commission, shall be permitted to serve in any such temporary position. Such provisional appointment shall continue only until the establishment of a re-employment or employment list. In no case shall such employment exceed a total of four months. No person shall receive more than one provisional appointment or serve more than four months as provisional appointee in any one fiscal year.

In case of emergency the appointive officer of the city may make such temporary emergency appointments, either in the fire department and/or police department, as in his judgment are necessary. In the fire department the only qualification necessary for such temporary emergency appointment shall be that the person appointed is a resident of the City of Stockton at the time of the appointment. All such temporary emergency appointments shall be immediately certified in writing to the commission, providing, however, that no emergency appointment shall exceed thirty days' duration."

"Section 29. The police department of the City of Stockton shall consist of the chief of the department, one or more captains, lieutenants, sergeants, patrolmen, and such other employees, clerks and attaches, as the legislative body of the city may from time to time prescribe."

"Section 31.5. The chief of police, shall have the power to appoint at his discretion, without competitive examination, a deputy chief of police. Notwithstanding other provisions of this Article to the contrary, the deputy chief of police shall be appointed from among the members of the Stockton Police Department from the rank of sergeant and above, shall be included in the classified service and shall be excepted from the provisions of Sections 18 and 19 of this Article. After appointment the deputy chief of police shall hold said rank at the pleasure of the chief of police, provided that the demotion of the deputy chief of police by the chief of police shall not accomplish dismissal from the department, but he shall be restored to the rank and grade held by him prior to his appointment as deputy chief of police unless charges of dismissal or demotion are brought as provided elsewhere in this Charter."

“Section 32.5. In the event of the death, resignation, absence, or disability of the chief of police, the City Manager shall designate the deputy chief of police or a captain to assume charge of the department until the chief returns or until his successor is appointed.”

“Section 33. The officers and members of the Police Department shall work in shifts of eight hours each, except in cases of emergency, during which time they shall work as directed by the chief of the department. The officers and members of the Police Department shall be allowed days off at the rate of at least six days in every twenty-one days or any equivalent variation without loss of pay.”

We further certify that we have compared the text of the foregoing amendments with the original proposals submitting the same to the electors of said city and find that the foregoing are full, true, correct, complete and exact copies thereof, and each of them.

That as to all said amendments this certificate shall be taken as a full and complete certification of the regularity of all proceedings had and done in connection therewith.

In witness whereof, Thomas E. Marnoch, mayor of the City of Stockton, and B. L. Trahern, City Clerk, as aforesaid have hereunto set their hands and caused the corporate seal of the City of Stockton to be thereunto affixed on this 9th day of November, 1961.

(SEAL)

THOMAS E. MARNOCH
Mayor of the City of Stockton
B. L. TRAHERN
City Clerk of the City of Stockton

WHEREAS, Said proposed amendments to the charter of the City of Stockton ratified by the electors of said city, as aforesaid, have been, and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole without alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the charter of the City of Stockton, after being presented to, adopted and ratified by the qualified electors of said City of Stockton as hereinbefore fully set forth, be and the same are hereby approved as a whole without amendment or alteration as amendments to and a part of the charter of the City of Stockton.

CHAPTER 3

Senate Concurrent Resolution No. 3—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election held therein on the seventh day of November, 1961.

[Filed with Secretary of State February 13, 1962.]

WHEREAS, The City and County of San Francisco, State of California, contains a population of over 500,000 inhabitants, and has been ever since the eighth day of January, in the year 1932, and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the 26th day of March, 1931, and approved by the Legislature of the State of California and filed in the office of the Secretary of State on the fifth day of May, 1931 (Statutes of 1931, page 2973); and

WHEREAS, The legislative authority of said city and county, namely, the board of supervisors thereof, duly proposed to the qualified electors of the city and county five (5) amendments to said charter; and

WHEREAS, Said legislative authority, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, did cause said five (5) proposed amendments to said charter to be published, once in the official newspaper of the said City and County of San Francisco and each edition thereof issued or published on the date of said publication, to wit, in the "San Francisco Chronicle," a newspaper of general circulation in the City and County of San Francisco and the official newspaper of said city and county; and

WHEREAS, Said legislative body caused copies of said charter amendments to be printed in convenient pamphlet form and in type of not less than 10 point, and caused copies thereof to be mailed to each of the qualified electors of said City and County of San Francisco, and until the day fixed for the election upon said charter amendments, advertised in said "San Francisco Chronicle," a newspaper of general circulation in the City and County of San Francisco, a notice that copies of said charter amendments could be had upon application therefor at the office of the board of supervisors; and

WHEREAS, The said legislative authority of said city and county ordered placed upon the ballot at a general municipal election to be held in the City and County of San Francisco on the seventh day of November, 1961, the said five (5) several proposals to amend the charter of the City and County of San Francisco; and

WHEREAS, Said general municipal election was held in said City and County of San Francisco on the seventh day of November, 1961, which day was more than 40 days and less than 60 days from the completion of the publication of said proposed charter amendments for one day in said "San Francisco Chronicle," and each edition thereof as hereinbefore set forth; and

WHEREAS, The registrar of voters did, in the manner provided by law, duly and regularly canvass the returns of said election, and on the 24th day of November, 1961, duly certify to the board of supervisors the results of said general municipal election as determined from the canvass of the returns thereof; and

WHEREAS, At said general municipal election so held on the seventh day of November, 1961, four (4) of said proposed amendments were ratified by a majority of the electors of said city and county voting thereon, to wit, charter amendments designated as Propositions D, E, F, and G, and one (1) other charter amendment submitted at said general municipal election, to wit, charter amendment designated as Proposition H received less than a majority of the votes of the electors voting thereon and was not ratified; and

WHEREAS, The said charter amendments so ratified by the electors of the City and County of San Francisco are now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and are in words and figures as follows:

PROPOSITION D

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said city and county by amending Section 59 thereof to provide that the appointment of the Chief Administrative Officer shall be subject to confirmation and approval by the Board of Supervisors and to delete obsolete provisions in the section.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 7, 1961, a proposal to amend the charter of said city and county by amending Section 59 thereof so that the same shall read as follows:

Chief Administrative Officer

Section 59. The mayor shall appoint a qualified person as chief administrative officer, subject to confirmation and approval by the board of supervisors. The appointee shall have been a resident of the State of California for at least five years immediately preceding his appointment. The requisite quali-

cations of such appointee shall be administrative and executive ability and experience for the position to be filled.

He shall be subject to suspension and removal in the same manner as elective officers. He shall also be subject to removal by a vote of not less than two-thirds of the board of supervisors, on the basis of written charges, and, if he so request, only after a public hearing on such charges before the board of supervisors not less than five days nor more than fifteen days after the filing thereof, and prior to the date on which the supervisors shall vote on the question of his removal, but on the filing of written charges, and pending and during such hearing, the supervisors, by majority vote, may suspend him from office. The written charges and any reply thereto by the chief administrative officer shall be entered at length in the journal of the board of supervisors. The action of the board of supervisors in removing the chief administrative officer shall be final.

PROPOSITION E

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the charter of said city and county by amending Section 43 thereof, relating to the Library Department.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 7, 1961, a proposal to amend the charter of said city and county by amending Section 43 thereof so that the same shall read as follows:

Library Department

Section 43. The library department shall be under the management of a library commission consisting of eleven members who shall be appointed by the mayor and shall serve without compensation.

The term of each commissioner shall be four years, at the expiration of which the mayor shall appoint his successor.

The library commission shall appoint a librarian and a secretary who shall hold office at its pleasure. The librarian shall be the chief executive of the department and shall be the appointing officer for the department as provided in section 20 of the charter.

The library commission shall be the successors in office of the board of library trustees holding office at the time this charter shall go into effect and shall have all the powers and duties thereof, except as in this charter otherwise provided.

Effective January 8, 1964, the library commission shall be reduced in number to seven members; and of the eleven members making up the commission immediately prior to said date the last seven to have received appointment shall comprise the commission on said date. Notwithstanding any other provision of this section, the term of each of the remaining four members shall on that date automatically terminate.

PROPOSITION F

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the charter of said city and county by amending Section 172.1.11 thereto, relating to the Health Service System fund.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 7, 1961, a proposal to amend the charter of said city and county by amending Section 172.1.11 thereto, as follows:

Section 172.1.11. There is hereby created a health service system fund. The costs of the health service system shall be borne by the members of the system and retired persons, the City and County of San Francisco because of its members and retired persons and the San Francisco Unified School District because of its members and retired persons. A retired person as used in this paragraph means a former member of the health service system retired under the San Francisco City and County Employees' Retirement System.

The city and county and the school district shall each contribute to the health service system fund amounts sufficient for the following purposes, and subject to the following limitations:

(a) All funds necessary to efficiently administer the Health Service System;

(b) Matching contributions for the fiscal year commencing July 1, 1962, and each fiscal year thereafter, equal to the amounts contributed thereto by members of the system, provided, however, that the total amount contributed by the city and county and the school district to the health service system fund in each fiscal year, for this purpose, shall not exceed an amount equal to the tax yield that can be produced in each fiscal year by six cents in the tax rate on each one hundred dollars (\$100.00) valuation of the real and tangible personal property assessed in and subject to taxation by the city and county and the school district.

(c) Monthly contributions required from retired members participating in the system shall be equal to the monthly contributions required from members in the system; provided, however, that for the fiscal year commencing July 1, 1962, and for each fiscal year thereafter, the city and county and the school district shall contribute funds sufficient to defray the difference in cost to the system in providing the same health coverage to retired members as is provided for active employee members thereof.

The city and county and the San Francisco Unified School District shall not contribute to the health service system fund any sums, except as hereinbefore set forth, on account of participation in the benefits of the system by members' dependents, retired persons' dependents, persons who retired and elected not to receive benefits from San Francisco City and

posed and ratified amendments to the Charter of the said City and County of San Francisco with the original proposals which were submitted to the electors of said city and county at a general municipal election held on Tuesday, the seventh day of November, One Thousand Nine Hundred and Sixty-one; and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said Charter are true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of the City and County of San Francisco, this fourth day of December, One Thousand Nine Hundred and Sixty-one.

(SEAL) CHARLES A. ERTOLA
President of the Board of Supervisors
of the City and County of San Francisco
ROBERT J. DOLAN
Clerk of the Board of Supervisors
of the City and County of San Francisco

Approved as to form:

DION R. HOLM
City Attorney

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the charter of the City and County of San Francisco, as proposed to, and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the City and County of San Francisco.

CHAPTER 4

Assembly Concurrent Resolution No. 1—Relative to the passing of Assemblyman W. A. Hicks.

[Filed with Secretary of State February 13, 1962.]

WHEREAS, The Members of the Legislature of California have been deeply grieved at the death of Assemblyman W. A. (Jimmie) Hicks of Sacramento at the height of his career as an energetic and popular public servant; and

WHEREAS, Jimmie Hicks commenced his public career in 1949 as a member of the Sacramento City Civil Service Commission, followed by election to the Sacramento City Council

in 1951 and 1953, and was named Mayor of Sacramento in 1954; and

WHEREAS, He continued his public career with service for the State as Deputy Director of the State Department of Employment, a position which he held until shortly before his re-election to the city council in 1959 and his subsequent election to the Assembly in 1960; and

WHEREAS, His private activities included diversified work, commencing early as a truckdriver, and later as a postal worker and editor of the Sacramento Valley Union Labor Bulletin, which indicated his lifelong interest in labor affairs; and

WHEREAS, Jimmie Hicks will be best remembered for his tremendous energy and willingness to serve on any civic or public matter, together with his wit, good humor, and pleasing personality which endeared him to all who knew him; and

WHEREAS, In the passing of Jimmie Hicks the Legislature has lost one of its most promising new members who was destined for a noteworthy legislative career; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature hereby express their sorrow and regret at the passing of their beloved, respected, and popular colleague, W. A. (Jimmie) Hicks, and wish hereby to convey their condolences to his family on their tragic loss, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Bertha Hicks, and to his daughters, Mrs. Betty Marie Benham, and Mrs. Nancy Ann Parsons.

CHAPTER 5

Assembly Concurrent Resolution No. 3—Relative to the selection of the Legislative Counsel of California.

[Filed with Secretary of State February 13, 1962.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That pursuant to Section 10201 of the Government Code, Angus C. Morrison is selected Legislative Counsel of California.

CHAPTER 6

Assembly Concurrent Resolution No. 5—Relative to adjournment of the Legislature for the constitutional recess and to reassembling of the Legislature after said recess, fixing the date for said adjournment and said reassembling.

[Filed with Secretary of State February 13, 1962.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the 1962 Regular Session of the Legislature of the State of California shall adjourn for the recess authorized by Section 2 of Article IV of the Constitution at 5 o'clock p.m. on February 6, 1962, and shall reassemble at 10 o'clock a.m. on March 7, 1962.

CHAPTER 7

Assembly Concurrent Resolution No. 9—Approving an amendment to the charter of the City of Riverside, a municipal corporation in the County of Riverside, State of California, ratified by the qualified electors of the city at an election held therein on the 17th day of October, 1961.

[Filed with Secretary of State February 13, 1962.]

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of an amendment to the charter of the City of Riverside, a municipal corporation in the County of Riverside, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of the city, as follows:

CERTIFICATE OF ADOPTION OF AN AMENDMENT TO THE
CHARTER OF THE CITY OF RIVERSIDE
(Addition of New Article XVI)

State of California }
County of Riverside } ss
City of Riverside }

We, the undersigned, Edward V. Dales, Mayor of the City of Riverside, State of California, and Virginia J. Strohecker, City Clerk of said City and ex officio Clerk of the City Council of said City, do hereby certify and declare as follows:

That at all times since the 21st day of April, 1953, the City of Riverside has been and now is a municipal corporation and city in the County of Riverside, State of California, containing a population of more than 3,500 inhabitants and organized and existing under a charter adopted pursuant to the provisions of Section 8 of Article XI of the Constitution of the State of California and approved by the Legislature by As-

sembly Concurrent Resolution No. 8, adopted in Assembly January 12, 1953, and in Senate January 15, 1953, and filed with the Secretary of State February 4, 1953.

That the legislative power of said City is vested in a City Council consisting of seven (7) members; and that the City Clerk of said City is ex officio Clerk of the legislative body of said City.

There is no official newspaper of said City. The Press hereinafter mentioned is a daily newspaper of general circulation within said City and printed and published therein.

That at all times herein mentioned Edward V. Dales has been and now is the duly elected, qualified and acting Mayor of said City of Riverside; and Virginia J. Strohecker has been and now is the duly appointed, qualified and acting City Clerk of said City.

That the City Council of said City on its own motion by Resolution No. 9210 adopted August 22, 1961, submitted to the electors of said City a proposal to amend its Charter as herein-after mentioned, to be voted on as a measure at a Special Municipal Election to be held in said City on October 17, 1961, Said proposal is in words and figures as follows:

City of Riverside—Charter Amendment Proposition:

Shall the Charter of the City of Riverside be amended by adding a new Article XVI to require the division of the City of Riverside into seven councilmanic wards and to provide for the election of the members of the City Council of the City of Riverside by the qualified voters of the respective wards.

That the City Council caused said proposed charter amendment to be published in The Press on September 6, 1961, and in each edition thereof during said day; and also caused copies of such proposed charter amendment to be printed in convenient pamphlet form in type of not less than 10-point and mailed to each of the qualified electors of said City on October 2, 1961; and also caused a notice that copies of said proposed charter amendment could be had upon application at the office of the City Clerk of said City to be published in every edition of The Press during the period of time beginning September 6, 1961, and ending October 17, 1961.

That Sections 1000, 1001 and 1002 of the Charter of the City of Riverside provide as follows:

Section 1000. General Municipal Elections. General municipal elections for the election of officers and for such other purposes as the City Council may prescribe shall be held in the City on the second Tuesday in April in each odd numbered year commencing with the year 1955.

Section 1001. Special Municipal Elections. All other municipal elections that may be held by authority of this Charter, or of any law, shall be known as special municipal elections.

A special municipal election shall be held for the election of the first Mayor and the first members of the City Council under this Charter on the tenth Tuesday following the approval of this Charter by the Legislature.

Section 1002. Procedure for Holding Elections. Unless otherwise provided by ordinance hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or hereafter may be amended, for the holding of elections in cities of the sixth class so far as the same are not in conflict with this Charter.

No other procedure has been provided.

That the City Council adopted a Resolution No. 9210 on August 22, 1961, ordering, providing for and giving notice of the Special Municipal Election to be held in said City on October 17, 1961; and the City Clerk duly published Notice of Election, which included said proposed charter amendment as a measure, in The Press on the 6th day of September, 1961.

That the Special Municipal Election was duly held in said City on Tuesday, October 17, 1961, and the voters voted upon said measure to amend the Charter. On Tuesday, October 24, 1961, the City Council of said City met in a duly adjourned regular meeting at its regular place of meeting and canvassed the returns of said election and canvassed the absent voters ballots. It was found and determined that the voters voting on said measure at said election cast 11,432 votes in favor of the amendment and 7,846 votes against the amendment, and that the amendment was ratified by the votes of a majority of the electors who voted on said measure.

That the City Council thereupon and on October 24, 1961, adopted a Resolution No. 9257 reciting the fact of said election and the matters enumerated in Section 9919 of the Elections Code, and the City Clerk thereupon entered upon the records of the City Council a statement of the result of such election.

That the amendment to the Charter as so proposed and ratified is in words and figures as follows:

Article XVI.

Election of Members of The City Council by Wards and Establishment of Wards

Section 1601. Suspension of the Provision for the Election of Members of the City Council at Large. The provision of Section 400 of this Charter for the election of members of the City Council from the City at large is hereby suspended during the time when such members are elected by wards, as herein provided.

Section 1602. Election of Members of the City Council by Wards. There are seven members of the City Council of the

City of Riverside. The members of the City Council shall be elected by wards by the qualified electors and voters of the respective wards only. One member of the City Council shall be elected by each ward, and only the qualified electors and voters of each ward shall vote for the member of the City Council to be elected by that ward.

Section 1603. Eligibility to Hold the Office of Member of the City Council. A person is not eligible to hold the office of a member of the City Council of the City of Riverside unless he has been a resident and qualified elector and a voter within the territory comprising the ward by which he is elected or for which he is appointed for at least one year immediately preceding his election or appointment, and is and continues to be a resident and qualified elector and voter of said ward.

For the purpose of determining eligibility to hold the office of a member of the City Council, it is expressly provided that the time immediately preceding his election or appointment during which a qualified elector and voter has been a resident of any territory which is included within the boundaries of any ward, as first established or as changed hereafter, shall be considered as and deemed to be time of residence within such ward.

If any member of the City Council changes his place of residence to a place out-side of the boundaries of the ward by which he was elected or for which he was appointed, his office shall become vacant. The existence of the vacancy shall be declared and filled as provided by Section 403 of this Charter.

Section 1604 Terms of Office and Elections The first election by wards under this Article XVI shall be held on the second Tuesday in April, 1963 One member of the City Council shall be elected by each ward at the general municipal election held on said date.

The terms of office of the members of the City Council who are elected by the odd numbered wards shall be four years, and they shall serve until their successors are elected or appointed and qualify.

The terms of office of the members of the City Council who are elected at the first election by wards held on the second Tuesday in April, 1963, by the even numbered wards shall be two years, and they shall serve until their successors are elected or appointed and qualify.

The terms of office of the members of the City Council who are elected by wards from the even numbered wards at the elections held on the second Tuesday in April, 1965, and each four years thereafter, shall be four years; and they shall serve until their successors are elected or appointed and qualify.

Section 1605. Wards Established. The City of Riverside is hereby and by ordinance shall be divided into seven wards, designated as First Ward, Second Ward, Third Ward, Fourth Ward, Fifth Ward, Sixth Ward, and Seventh Ward The City

Council shall adopt an ordinance dividing the City into seven wards and establishing the boundaries of said wards within the period of six months immediately following the date of approval of this Amendment by the Legislature of the State of California. The wards shall include substantially equal numbers of qualified electors and voters.

The boundaries of any ward or wards may be changed by ordinance adopted from time to time; provided that the effective date of any ordinance changing any ward boundary shall be at least ninety days prior to the date of the next succeeding general municipal election.

Section 1606. *Effective Date of Amendment.* The provisions of this Article XVI for the election by wards and appointment of members of the City Council shall take effect upon the effective date of the ordinance establishing wards and the boundaries of wards. All other provisions shall take effect upon the date of approval of this Amendment by the Legislature of the State of California.

We do further certify that the foregoing constitutes a full, true and correct statement of the actions and proceedings had by the City of Riverside and its City Council and City Clerk in the matter of submitting the proposal to amend the City Charter and in calling, noticing and conducting the election and canvassing the returns and declaring the results thereof.

In witness whereof we have hereunto set our hands and affixed the seal of the City of Riverside this 6th day of December, 1961.

E. V. DALES

(SEAL)

Mayor of the City of Riverside

Attest

VIRGINIA J. STROHECKER

City Clerk of the City of Riverside

WHEREAS, The proposed charter amendment as ratified as hereinabove set forth has been and now is duly presented and submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the amendment to the charter of the City of Riverside, as proposed to and adopted and ratified by the electors of the city, as hereinbefore fully set forth, be and the same is hereby approved as a whole, without alteration or amendment, for and as an amendment to and as part of the charter of the City of Riverside.

CHAPTER 8

*Assembly Concurrent Resolution No. 7—Relative to the
Riverside County Fair and National Date Festival.*

[Filed with Secretary of State March 14, 1962.]

WHEREAS, The natural desert setting of Coachella Valley, California, instantly calls to mind an Arabian atmosphere and has in fact the climate and plant life of that picturesque Far East area; and

WHEREAS, The people of Riverside County have selected this scenic background for the site of their county fair and permanent home of the National Date Festival; and

WHEREAS, This unique California exposition has been established at Indio, California, with its displays, architecture and entire theme centering around the glamour and culture of the ancient land of Allah; and

WHEREAS, The market place, camel races, and Arabian Nights Pageant, with its cast of more than 150 persons performing in dazzling costumes under spectacular lighting on the authentic Arabian stage, present a real life spectacle of the world of Aladdin unequaled in America; and

WHEREAS, Presiding over the festivities this year will be the county's most beautiful Queen Scheherazade, Linda Lou Strangman, of Ramona High School, Riverside, who will be surrounded by a court of 10 princesses from neighboring communities, namely, Sheri Good, Palm Springs; Jane Franklin, Coachella Valley; Mary Nelson, Beaumont; Kay Nielson, Palo Verde Valley; Raquel Blake, Elsinore; Sandra Walters, Corona; Suzanne Chase, Perris; Teresa Mengel, Hemet; Diane Ekwall, San Jacinto; and Alice Burke, Banning; and

WHEREAS, The rarest and most delicious dates of this, the Date Capital of the World, are available in their natural beauty and incomparable sweetness; and

WHEREAS, The recently completed \$140,000 Caravansary, palm shaded parking lot, Taj Mahal exhibition hall and flower-studded gardens are now in readiness for the finest production of this annual event, and the people of Riverside County have donned their Arabian costumes in the spirit of the event; and

WHEREAS, This year the Riverside County Fair and National Date Festival under the able direction of R. M. C. "Bob" Fullenwider promises to be even greater than any in the past; and

WHEREAS, The majestic splendor of this event will be available to all from February 16 to 25, 1962; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the County of Riverside is commended on the excellence of its county fair and National Date Festival and the glowing example of the efforts of its people in presenting this unique and outstanding exposition; and be it further

Resolved, That the Members of the Assembly, and of the Senate concurring, acknowledge the outstanding efforts of R. M. C. "Bob" Fullenwider, Queen Linda Lou Strangman, and all of the hundreds of good people who are devoting their time and efforts to make this one of the greatest attractions to visitors from all over the world; and be it further

Resolved, That the Members of the Assembly, and of the Senate concurring, urge all of the people of the State of California to visit the Riverside County Fair and National Date Festival and enjoy this spectacular event; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby, directed to transmit suitably prepared copies of this resolution to R. M. C. "Bob" Fullenwider, Queen Linda Lou Strangman, and the Board of Supervisors of the County of Riverside.

CHAPTER 9

Assembly Concurrent Resolution No. 10—Relative to the death of Dag Hammarskjöld.

[Filed with Secretary of State March 15, 1962.]

WHEREAS, The Members of the Legislature were deeply grieved and greatly saddened to learn of the sudden death of Dag Hammarskjöld who, as Secretary General of the United Nations, distinguished himself as guardian of world peace and defender of human liberties; and

WHEREAS, His tragic death while attempting to bring peace in the Congo, exemplified his never-ceasing, never-ending quest for a lasting and just world peace; and

WHEREAS, As Secretary General of the United Nations from 1953 until his untimely death, he served all mankind in his devotion to the principles of the United Nations; and

WHEREAS, Mr. Hammarskjöld had devoted his entire life to public service, serving as a professor in political economy at the University of Stockholm, Deputy Foreign Minister of Sweden, delegate and member of various international conferences and organizations and finally Secretary General of the United Nations; and

WHEREAS, His significant contributions to international peace were recognized by the posthumous award to him of the Nobel Peace Prize for 1961; and

WHEREAS, Mr. Hammarskjöld was one of the world's great statesmen, courageously and intelligently leading the United Nations in these perilous times; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members, for themselves and on behalf of all the people of the State of California, hereby join the majority of mankind in expressing their

feeling of loss on the passing of Dag Hammarskjöld; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his brother, Bo Hammarskjöld, and to the Prime Minister of Sweden.

CHAPTER 10

Assembly Concurrent Resolution No. 15—Relative to congratulating Lieutenant Colonel John H. Glenn, Jr.

[Filed with Secretary of State March 15, 1962]

WHEREAS, On February 20, 1962, a nation with stars in its eyes and hope in its heart watched a man soar into space; and

WHEREAS, That man was Lieutenant Colonel John H. Glenn, Jr., who thundered aloft from Cape Canaveral to descend some 4 hours and 56 minutes later into the welcoming waters of the Atlantic after three orbits of the earth; and

WHEREAS, During that historic flight John Glenn displayed the qualities which led to his selection as an astronaut, for he not only performed his assigned duties with skill and dispatch but he successfully met the challenge of the unknown and unexpected; and

WHEREAS, When difficulties developed in the control mechanism of his spaceship, Friendship 7, he calmly took control and completed his mission on schedule, thus proving beyond question man's ability to function in outer space; and

WHEREAS, Since that historic day, he has responded to the nation's accolades with a modesty and love of country representative of our finest traditions; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California join with Americans everywhere in congratulating Lieutenant Colonel John H. Glenn, Jr., upon the unforgettable contribution which he has made towards America's space exploration program; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to John H. Glenn, Jr.

CHAPTER 11

Assembly Concurrent Resolution No. 25—Relative to inviting the President to address the Legislature.

[Filed with Secretary of State March 15, 1962]

WHEREAS, It has come to the attention of the Members of the Legislature that the President of the United States will be

in California in March while the Legislature is in session; and

WHEREAS, He will be in the City of Berkeley on March 23, 1962 to receive an honorary degree from the University of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California extends its greetings and welcome to President Kennedy and hereby cordially invites him, if possible, to address a joint session of the California Legislature in Sacramento at a time convenient to him during his visit to California; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a copy of this resolution to President Kennedy

CHAPTER 12

Assembly Concurrent Resolution No. 19—Relating to Community Health Week.

[Filed with Secretary of State March 19, 1962]

WHEREAS, An indispensable element of the strength, the freedom, and constructive world leadership of any nation is the good health of its citizens; and

WHEREAS, An ever larger number of communities are observing Community Health Week, sponsored by the Community Health Association, Incorporated, under the leadership of Dr. Ruth J. Temple of Los Angeles; and

WHEREAS, Community Health Week has afforded and continues to afford an opportunity for a united positive health educational effort in which private doctors, voluntary health organizations, public health departments, and other public and private organizations, city, county, religious-sponsored schools, business, labor, civic and religious bodies, youth, adult and senior citizens' organizations and all people of the entire community co-operate in the common cause of preventing disease and tragedy and of attaining positive physical, mental, and spiritual health and human betterment; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California does hereby proclaim the period of March 18 through 24, 1962, to be Community Health Week in California and does designate the week in which the third Wednesday in March occurs, to be Community Health Week in California in each year thereafter; and be it further

Resolved, That the Legislature hereby calls upon public health agencies, at all levels as well as private organizations and citizens to co-operate with the Community Health Association to observe such week in educational efforts and other appropriate activities to encourage faith in God and in our country; to foster self-help and good health practices toward

sound economy, physical fitness and total health or wholeness, happiness and service through our State and our country; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Community Health Association.

CHAPTER 13

Senate Concurrent Resolution No. 7—Relative to augmenting the funds of the Subcommittee on Printing of the Joint Committee on Legislative Organization.

[Filed with Secretary of State March 20, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That in addition to any other money made available, the sum of eleven thousand dollars (\$11,000), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Senate and the Assembly, in equal shares, for expenditure by the Subcommittee on Printing of the Joint Committee on Legislative Organization (created by Section 9107 of the Government Code and Joint Rule No. 40) pursuant to contract for a study of the present and future printing requirements of the State of California, and to be paid from the said contingent funds and disbursed, after certification by the chairman of the subcommittee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 14

Senate Concurrent Resolution No. 10—Relative to the passing of Fred B. Wood.

[Filed with Secretary of State March 21, 1962.]

WHEREAS, On December 30, 1961, the Honorable Fred B. Wood passed from this life and went to his reward; and

WHEREAS, Fred B. Wood was a native of Michigan, coming to California as a boy, was educated in the schools of this State and graduated from Stanford University with A.B. and J.D. degrees, served as a member of the staff of the Senate in 1913 and became Chief Deputy Legislative Counsel in the year 1914, in which capacity he served until 1922, following which he practiced law until he was appointed to the office of Legislative Counsel by Governor C. C. Young in the year 1927. As Legislative Counsel he served until 1950, at which time he was appointed Justice of the First District Court of Appeal, Division I, by Governor Warren. In that capacity he served until 1959, when he retired; and

WHEREAS, The Honorable Fred B. Wood was married to Alice L. Satterthwaite in 1914 and became the father of two sons, Frederick B. and Perry S. Wood, according to his family the utmost devotion; and

WHEREAS, In addition to the offices of distinction enumerated above, the Honorable Fred B. Wood served in numerous important capacities including the Code Commission, the Commission on Uniform State Laws, State Personnel Board and performed other exacting and important services and at the time of his death he was Chairman of the Berkeley Committee for Fair Housing, a member of the Berkeley Citizens Urban Renewal Advisory Committee, and a member of the Board of Trustees of Strawberry Creek Lodge Foundation for senior housing; also a member of the Commonwealth Club, Palo Alto Lodge 346, F. & A.M., of Scottish Rite in Sacramento, and of the Breakfast Club, City Commons Club, Lawn Bowling Club and Elks Club in Berkeley; and

WHEREAS, During his long time as Legislative Counsel of the State he was not only appointed by Governor Young but, after the office of Legislative Counsel ceased to be a matter of Governor's appointment, he received the election and endorsement of both houses of the Legislature for the many years of his service and occupied an enviable position in the esteem and respect of those who knew him for his fair and analytical approach to all problems and the wise counsel and sage advice which he generously accorded to all who sought his aid; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature deeply deplores the passing of this distinguished gentleman whose public career began as an officer of the Legislature and whose name became synonymous for sagacity and true intent; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward suitably prepared copies of this resolution to the family of the late Fred B. Wood.

CHAPTER 15

Assembly Concurrent Resolution No. 24—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held therein, consolidated with the general municipal election, on the sixth day of June, 1961.

[Filed with Secretary of State March 21, 1962]

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of those certain amendments to

the charter of the City of Alhambra, a municipal corporation of the County of Los Angeles, as hereinafter set forth in the certificate of the President of the City Commission and the City Clerk of the City of Alhambra, as follows, to wit:

CERTIFICATE OF RATIFICATION BY ELECTORS OF THE CITY OF
ALHAMBRA OF THOSE CERTAIN CHARTER AMENDMENTS

State of California }
County of Los Angeles }
City of Alhambra } ss

We, the undersigned, Talmage V. Burke, President of the Commission of the City of Alhambra, and William F. Longley, City Clerk and ex-officio Clerk of the Commission of said City, do hereby certify and declare as follows:

That the City of Alhambra, a municipal corporation of the County of Los Angeles, State of California, now is and at all times herein mentioned was a City containing a population greater than 50,000 inhabitants, and ever since the year 1915 has been and now is organized, existing and acting under a Freeholders' Charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which Charter was duly ratified by a majority of the qualified electors of said City at a Special Election held for that purpose on the 14th day of October, 1914, and approved and ratified by the Legislature of the State of California by Concurrent Resolution No. 14 thereof, introduced by Senator Newton W. Thompson on January 26, 1915, and approved by the Legislature of the State of California on January 28, 1915. (Statutes 1915, p. 1740).

That the City Commission of said City, being its legislative body, on its own motion, and pursuant to the provisions of Section 8 of Article XI of the Constitution of the State of California, by Resolution No. 21696, adopted on the 4th day of April, 1961, duly proposed to the qualified electors of the City of Alhambra those certain Amendments to the Charter of said City designated as Proposed Charter Amendment No. 1, Proposed Charter Amendment No. 2 and Proposed Charter Amendment No. 3, and ordered said Charter Amendments to be submitted to said qualified electors at the General Municipal Election to be held in said City on the 6th day of June, 1961; that said proposed Amendments were on April 17, 1961, published and advertised in accordance with Section 8 of Article XI of the Constitution of the State of California, in the "Post-Advocate", being a daily newspaper of general circulation printed, published and circulated in said City, and being the official newspaper of said City.

That said proposed Amendments were duly and regularly printed in convenient form and at and during the time and in the manner provided by law a notice was published in said Post-Advocate that such copies of said proposed Amendments

could be had upon application therefor in the office of the City Clerk of said City, and said proposed Amendments, so printed in convenient form, were duly and regularly distributed in the manner provided by law.

That said City Commission did by Ordinances Nos. 2927 and 2928 order the holding of a General and Special Municipal Election in said City of Alhambra on June 6, 1961, for the purpose, among other things, of submitting to a vote the said proposed Charter Amendments, and which date of said election was not less than forty days nor more than sixty days after the completion of the publication of the said proposed Charter Amendments, as aforesaid; and pursuant to said Charter, resolution and ordinances, the said proposed Amendments were submitted to the qualified electors of said City for their ratification on said June 6, 1961, and at said election a majority of the qualified electors voting thereon voted for the ratification of and did ratify the Proposed Amendment No. 1, the Proposed Amendment No. 2 and the Proposed Amendment No. 3 to the Charter of said City.

That the City Commission of the City of Alhambra, in accordance with the law in such cases made and provided, did meet on the 12th day of June, 1961, at a regular meeting of such Commission and duly canvassed the returns of said election and duly found, determined and declared that the said Proposed Amendment No. 1, the Proposed Amendment No. 2 and the Proposed Amendment No. 3 of the Charter of the City of Alhambra were ratified by a majority of the electors of said City voting thereon

That the said Amendments to the Charter so ratified by the electors of the City of Alhambra are in words and figures as follows, to-wit:

PROPOSED CHARTER AMENDMENT No. 1

(Changes Sections 7 and 10 of Article III, and
Section 37 of Article VI)

“ARTICLE III

GENERAL PROVISIONS RELATING TO OFFICERS

Section 7. Five City Councilmen, a City Auditor, who shall be ex-officio City Clerk and Clerk of the Board of Equalization; a City Treasurer, who shall be ex-officio City Assessor and City Tax and License Collector; a City Attorney; and five members of the Board of Education, shall be elective officials of the City of Alhambra and the Alhambra High School District, all of whom shall be elected at the general municipal election on a general ticket from the City at large, provided, that all qualified electors of Alhambra City School District shall also have the right to vote at such elections for members of the Board of Education; and provided also that of the five

Councilmen, one shall be nominated by the qualified electors of each district, of which the Councilman so nominated must have been a resident not less than four months preceding the date of his election. The office of Councilman of each district shall constitute a separate office."

"Section 10. The Council shall consist of five Councilmen, each of whom, including the Mayor, shall have a vote on all questions coming before the Council.

"To be eligible to the office of Councilman a person must be a qualified elector of the City of Alhambra and shall have resided in said City for at least three years next preceding the date of his election or appointment.

"Wherever in this Charter the word 'Commission' is used, referring to the City Commission of the City of Alhambra, the word 'Council' shall be substituted in lieu thereof; and wherever in this Charter the word 'Commissioner' is used, referring to a Commissioner of the City Commission of the City of Alhambra, the word 'Councilman' shall be substituted in lieu thereof. Wherever hereinafter in this Charter the words 'President of the Commission' are used, the word 'Mayor' shall be substituted in lieu thereof. Wherever hereinafter in this Charter the words 'Vice-President of the Commission' are used, the words 'Vice-Mayor' shall be substituted in lieu thereof.

"To be eligible to the office of Auditor, Treasurer or Attorney, a person must be a qualified elector of the City of Alhambra and shall have resided in said City for at least one year next preceding the date of his election or appointment."

"ARTICLE VI

THE COUNCIL

Section 37. All powers herein granted to and vested in the City of Alhambra shall, except as otherwise provided, be exercised by a Council to be designated the Alhambra City Council. Said Council shall be the governing body of the City, and, subject to the express limitations of this charter, shall be vested with all powers of legislation in municipal affairs, adequate to a complete system of local government consistent with the Constitution of the State, which power shall be exercised by ordinance, except when otherwise provided by law."

PROPOSED CHARTER AMENDMENT No. 2 (Changes Section 8 of Article III)

"ARTICLE III

GENERAL PROVISIONS RELATING TO OFFICERS

Section 8. The chief appointive officers shall be as hereinafter designated, and shall be under the jurisdiction of the

respective departments to which they are severally assigned, to-wit: City Engineer and Street Superintendent hereby assigned to the Department of Public Works; Superintendent of Building, Chief of Police, Chief of Fire Division and Health Officer, hereby assigned to the Department of Public Safety. Each such chief appointive officer shall be appointed by the head of such respective department to which he is assigned, subject to confirmation of each appointment by the Council."

PROPOSED CHARTER AMENDMENT No. 3
(Deletes Article XI, Sections 68, 69, 70, 71 and 72)

"ARTICLE XI

POLICE COURT

Section 68. The judicial power of the city shall be vested in a police court, which shall be presided over by a police judge. Said police court shall have jurisdiction, concurrently with the justice's courts and courts of inferior jurisdiction, of all actions and proceedings, civil and criminal, arising within the corporate limits of the city, and which might be tried in such justice's court or court of inferior jurisdiction, and shall have exclusive jurisdiction of all actions for the recovery of any fine, penalty or forfeiture, prescribed for the breach of any city ordinance and all actions founded upon any obligation or liability created by any ordinance and of all prosecutions for any violations of any ordinances. In all civil actions for the recovery of any fine, penalty or forfeiture prescribed for the breach of any ordinance of the city, where the fine, penalty or forfeiture imposed by the ordinance is not more than fifty dollars, the trial must be by the court; in civil actions, where the fine, penalty or forfeiture prescribed for the breach of any ordinance of the city is over fifty dollars, the defendant is entitled to a trial by jury. Except as in this section otherwise provided, the rules of practice and mode of proceeding in said police court shall be the same as are or may be prescribed by law for justice's courts or courts of inferior jurisdiction in like cases, and appeals may be taken to the superior court of the county in which the city is situated, from all judgments of said police court in like manner and with like effect as in cases of appeals from justice's courts or courts of inferior jurisdiction.

"Section 69. The police judge shall have the powers and perform the duties of a magistrate. He may administer and certify oaths and affirmations, and take and certify acknowledgments. He shall be entitled to charge and receive for his services such fees as are or may be allowed by law to justices of the peace or judges of courts of inferior jurisdiction for like services, except that for his services in all criminal prosecutions, he shall be entitled to receive only such monthly salary as the commission shall by ordinance prescribe.

"Section 70. In all cases where the police judge is a party, or in which he is interested, or when he is related to either party in consanguinity or affinity within the third degree, or is otherwise disqualified, or in case of sickness or inability to act, the police judge may call in a justice of the peace or judge of a court of inferior jurisdiction, residing in the city, to act in his place and stead; or if there be no such justice or judge residing in the city, or if all those so residing are likewise disqualified, then he may call in any such justice or judge residing in the county in which the city is situated.

"Section 71. All fines, penalties and forfeitures collected shall be the property of the city and be deposited weekly with the city treasurer for the use of the city.

"Section 72. The city shall furnish all dockets, books and supplies necessary for the business of such police court, and a court-room for the holding thereof. A complete record of all cases shall be entered in the docket of said court."

That we have compared the foregoing amendments with the original proposals submitting the same to the electors of said City and find that the foregoing are full, true, correct and exact copies thereof; we further certify that the facts set forth in the preambles preceding such amendments to such Charter are true

That as to the said amendments, this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

In witness whereof we have herunto set our hands and caused the corporate Seal of the City of Alhambra to be affixed hereto this 12th day of June, 1961.

(SEAL)

TALMAGE V. BURKE
President of the Commission
of the City of Alhambra

WILLIAM F. LONGLEY
City Clerk and ex-officio Clerk of
the Commission of the City of
Alhambra

and

WHEREAS, The said proposed charter amendments, as ratified as hereinbefore set forth, have been and now are duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the aforementioned amendments to the charter of the City of Alhambra as proposed to, and adopted and ratified by,

the electors of said city, as hereinbefore fully set forth, be and the same are hereby approved as a whole, without amendment or alteration for and as amendment to and as part of the charter of the City of Alhambra.

CHAPTER 16

Assembly Concurrent Resolution No. 22—Relative to the death of former Assemblyman Thomas M. Carlson

[Filed with Secretary of State March 22, 1962.]

WHEREAS, The Members of the Legislature have learned with great sorrow of the death of one of their friends and former colleagues, Thomas M. Carlson; and

WHEREAS, Mr. Carlson, a descendent from one of the old pioneer families of California, attended San Francisco and Oakland schools, the University of California in Berkeley, and Boalt Hall School of Law, from which he graduated in 1919; and

WHEREAS, He led an outstanding, illustrious and active life, which included serving his country in World War I as a first lieutenant in the Air Force, as an Assemblyman from the 18th Assembly District in 1923, during which time he won the lasting respect of the Members of the Legislature, and as City Attorney for the City of Richmond, an office which he held with pride for 32 years; and

WHEREAS, The growth and progress of that city was in large measure due to the energetic and forceful leadership of Thomas Carlson, known and loved by many as "Mr. Richmond"; and

WHEREAS, He also served with distinction as City Attorney of El Cerrito in 1920, as a member of the County Governing Committee from 1928 to 1932, as a member of the State Water Commission in 1933, at which time he codrafted the Central Valley Project Act, as a member of the Veterans' Welfare Board of California in 1936, and as chairman of the Golden Gate Authority Commission in 1961; and

WHEREAS, He was a highly respected and popular member of many social and civic groups, holding various elected, appointive and honorary offices in those groups; and

WHEREAS, His lifelong dedication and devotion to public service and his willing participation in civic affairs earned for him the admiration and devotion of all who were privileged to know him; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature pay tribute to the memory of their former colleague, Thomas M. Carlson, a loyal friend, a devoted public servant, and an outstanding citizen; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the widow of Mr. Carlson, to his daughter, Mrs. Steven H. Welch, Jr., and to the law firm of Carlson, Collins, Gordon and Bold.

CHAPTER 17

Assembly Concurrent Resolution No. 31—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a municipal election held therein February 27, 1962.

[Filed with Secretary of State March 22, 1962.]

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of certain amendments to the charter of the City of Long Beach, as set out in the certificate of the mayor and city clerk of said city, as follows, to wit:

CERTIFICATE OF ADOPTION BY THE QUALIFIED ELECTORS OF
THE CITY OF LONG BEACH AT A MUNICIPAL ELECTION HELD
THEREIN FEBRUARY 27, 1962, OF CERTAIN AMENDMENTS TO
THE CHARTER OF THE CITY OF LONG BEACH, STATE OF CALI-
FORNIA.

State of California	}	ss.
County of Los Angeles		
City of Long Beach		

We, Edwin W. Wade, Mayor of the City of Long Beach, and Margaret L. Heartwell, City Clerk of the City of Long Beach, do hereby certify as follows:

That said City of Long Beach, in the County of Los Angeles, State of California, is now, and was at all of the times herein mentioned, a city containing a population of more than fifty thousand inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States; and

That said City of Long Beach is now, and was at all of the times herein mentioned, organized and existing under a freeholders' charter adopted under the provisions of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by a majority of the electors of said City at a special election held therein on the 14th day of April, 1921, and approved by the Legislature of the State of California and filed with the Secretary of State of the State of California on the 26th day of April, 1921, (Statutes of 1921, page 2054); and

That the legislative body of said City, namely, the City Council thereof, did, by motions duly adopted and pursuant to the provisions of Section 8, Article XI, of the Constitution

of the State of California, duly vote to submit to the qualified electors of said City of Long Beach five amendments to the Charter of said City and ordered that said proposed amendments be submitted to said qualified electors of said City at a Special Municipal Election to be held in said City on the 27th day of February, 1962; and

That said five proposed amendments to be so submitted February 27, 1962, were designated as Propositions A, B, C, D, and E, and were duly published the 5th day of January, 1962, in the Long Beach Independent and in each edition thereof during said date of publication; and

That said Long Beach Independent was, upon the date of said publication, and at all times since has been, and now is, a daily newspaper of general circulation within said City of Long Beach, and was, upon the date of the publication of said proposed amendments, and at all times since has been, and now is, published in said City and said newspaper was, upon the date of the publication of said proposed amendments, and at all times since has been and now is, the official newspaper of said City, and was the newspaper designated by said City Council for the publication of said proposed amendments; and

That said proposed amendments were duly and regularly printed in convenient pamphlet form and, at and during the time and in the manner provided by law, a notice was published in said Long Beach Independent that such copies of said proposed amendments could be had upon application therefor in the office of the City Clerk of said City, and said proposed amendments so printed in convenient pamphlet form were duly and regularly distributed in the manner provided by law; and

That said City Council did, by an ordinance designated as Ordinance No. C-4213, order the holding of said municipal election in said City of Long Beach on February 27, 1962, which date was not less than forty nor more than sixty days after the completion of the publication of said proposed amendments, as aforesaid, and that said ordinance was published at least three times in said Long Beach Independent ten days prior to the date of said election, to wit: February 15, 1962, February 16, 1962, and February 17, 1962; and

That said municipal election was held in said City of Long Beach on February 27, 1962, which day was not less than forty days nor more than sixty days after the completion of the publication of said proposed amendments once in said Long Beach Independent as aforesaid; and

That the City Council did, by resolution adopted on the 6th day of March, 1962, duly declare the results of said municipal election and did duly find, determine and declare that a majority of the qualified voters of said City of Long Beach voting thereon had voted in favor of and had ratified all five of said proposed amendments; and

That said proposed amendments to the Charter of the City of Long Beach, so ratified by the voters of said City as aforesaid, are respectively in words and figures as follows, to wit:

Proposition A

That the Charter of the City of Long Beach be amended by amending Section 260.6(c) to read:

(c) The sum of five hundred thousand dollars of the money remaining in said Tideland Oil Fund, after payment of necessary expenses and of the State's portion both as hereinabove provided, may be used each fiscal year for any purpose not in violation of said grants from the State, as shall have been provided for in the official budget of the City, without prior approval of the electors of such use. If any or all of said sum of five hundred thousand dollars is not used within a fiscal year, the unused amount shall accumulate and shall likewise be available for such use in any succeeding fiscal year.

Proposition B

That the Charter of the City of Long Beach be amended by amending Section 260.6(d) to read:

(d) Money in the Tideland Oil Fund after payment of expenses and the State's portion thereof may be used without prior approval of the electors for maintenance, operation and supervision of such tidelands and submerged lands and improvements located thereon and for services furnished thereon as provided in the City's budget.

Proposition C

That the Charter of the City of Long Beach be amended by amending Sections 252, 253, 254 and 258 thereof, respectively, to read as set forth hereinafter, and by repealing Section 259:

Sec. 252 The City Manager annually shall prepare and, not later than the 15th day of June, submit to the City Council his recommended budget for the forthcoming fiscal year, based upon detailed estimates furnished to the City Manager. Departmental budgets of departments for which the City Manager is not administratively responsible (See Sec. 88) shall be submitted as furnished by the heads of such departments, but in a form and on a date prescribed by the City Manager.

Such preliminary budget shall present in comparative form the income and expenditures of the preceding fiscal year, the estimated income and expenditure of the current fiscal year, and the anticipated income and expenditure for the forthcoming fiscal year. Such preliminary budget shall be prepared in detail, using a uniform classification, and showing the elements of expense in each department.

Such preliminary budget may include an unappropriated reserve in the General Purpose Fund which shall not exceed in sum 1% of the total of other estimated expenditures from said fund. Allocations from such an unappropriated reserve contained within the final budget may be made by the City Council, upon the recommendation of the City Manager, for use by any department or for other municipal purpose.

Sec. 253. The City Council may amend the preliminary budget and shall adopt such preliminary or amended preliminary budget as the budget for the forthcoming fiscal year, and shall not later than three weeks after the close of each fiscal year pass an appropriation ordinance conforming thereto.

The total amount of the appropriations from any fund shall not exceed the unencumbered surplus from the prior fiscal year plus the estimated revenues for the forthcoming fiscal year.

Near the beginning of the fiscal year and before the annual appropriation ordinance has been passed, the Council may make temporary appropriations for current expenses, chargeable to the budget of the year when passed, to cover the necessary expenses of the various departments until the annual appropriation ordinance is in force.

If the City Council fails to adopt a budget or appropriation ordinance by the time prescribed herein, the preliminary budget shall be deemed to be the budget and appropriations may be made in accordance therewith.

Sec. 254. Within the last four months of the fiscal year, the City Council, upon written recommendation of the City Manager, may authorize the transfer of any portion of the unencumbered balance of an appropriation which is surplus from one department to another department financed from the same fund. If the transfer affects the appropriations for the department of an elected official or other department not under the City Manager's administrative jurisdiction, the concurrence of the department head in the recommendation for transfer shall be required.

Transfers within a departmental budget from one classification to another may be made if authorized by the City Manager for those departments under his jurisdiction, with the approval of the City Council, or if authorized by the department head of other departments.

No indebtedness of the City shall be incurred in any year in excess of the income and revenues provided in the Budget for that year without the assent of two thirds of the qualified electors of the City voting at an election.

No indebtedness or liability incurred in any one year shall be paid out of the income or revenue of any future year; PROVIDED, that collections during any fiscal year of income accrued during a prior fiscal year may be used to pay indebtedness incurred during that fiscal year.

Sec. 258. In addition to the funds established hereunder, the City Council may establish by ordinance additional funds to control the finances of the City.

The ordinance fixing the tax levy shall establish the distribution of the tax levy to the various funds for which the levy is made. Moneys received by the City shall be deposited to the credit of the General Purpose Fund and expended from such fund unless otherwise provided herein or by ordinance.

All money received by the City shall be credited to the appropriate fund by the close of each calendar month. Money received during the course of a month may be distributed directly to the appropriate fund, or may be placed in a clearing account for distribution to such funds at the close of the month.

Proposition D

That the Charter of the City of Long Beach be amended by amending Section 20 thereof to read as set forth hereinafter, and by repealing Section 36 thereof:

Sec. 20. To lease for a period not exceeding sixty years any property owned by the City. This provision shall not apply to a lease or other agreement having as its primary purpose the production of oil, gas or other hydrocarbon substances

Proposition E

That the Charter of the City of Long Beach be amended by amending Article II thereof to read:

Article II

Boundaries of the City of Long Beach

The boundaries of the City of Long Beach shall be as they now exist or as they may be altered in the future.

That the foregoing is a full, true and correct copy of said proposed amendments to the Charter of the City of Long Beach, ratified by the electors of said City, as aforesaid, on file in the office of the City Clerk of said City of Long Beach

In witness whereof, Edwin W. Wade, Mayor, as aforesaid, and Margaret L. Heartwell, City Clerk, as aforesaid, have hereunto set their hands and caused the corporate seal of the City of Long Beach to be thereunto duly affixed on this 14th day of March, 1962.

(SEAL)

EDWIN W. WADE
Mayor of the City of Long Beach

MARGARET L. HEARTWELL
City Clerk of the City of Long Beach

WHEREAS, Said proposed amendments to the charter of the City of Long Beach, ratified by the electors of said city, as aforesaid, have been, and are now, submitted to the Legislature of the State of California, for approval or rejection without power of alteration or amendment, in accordance with Section 8, Article XI, of the Constitution of the State of California; now, therefore,

Be it resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the charter of the City of Long Beach, as proposed to, adopted and ratified by the qualified electors of said City of Long Beach, as hereinabove fully set forth, be and the same are hereby approved as a whole without amendment or alteration, for and as amendments to and as parts of the charter of the City of Long Beach.

CHAPTER 18

Assembly Joint Resolution No. 3—Relative to the issuance of a commemorative postage stamp in honor of the Tournament of Roses.

[Filed with Secretary of State March 22, 1962.]

WHEREAS, The Tournament of Roses had a simple beginning in 1889 with the decoration of horses and buggies with flowers in a New Year's Day parade; and

WHEREAS, The Tournament of Roses Parade now attracts hundreds of thousands of visitors to Los Angeles County each year to witness this colorful and dramatic wintertime event; and

WHEREAS, The wide publicity directed each year by the Tournament of Roses to its participants strengthens the bonds of friendship, goodwill and understanding between the City of Pasadena and other cities, states and nations with entries in the parade; and

WHEREAS, The eyes and ears of the nation are focused upon Southern California every New Year's holiday with television audiences estimated at 60 million persons enjoying the pageantry and excitement of this most spectacular celebration; and

WHEREAS, On January 1, 1964, the Tournament of Roses will observe its 75th anniversary, one of the outstanding civic spectacles of its kind throughout the nation and the world; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the Postmaster General of the United States to provide for the issuance of a commemorative postage stamp

in honor of the 75th anniversary of the Tournament of Roses; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Postmaster General of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 19

Senate Concurrent Resolution No. 13—Relative to the adoption of the Joint Rules of the Senate and Assembly

[Filed with Secretary of State March 22, 1962]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following rules be adopted as the Joint Rules for the 1962 Regular (Budget) Session:

JOINT RULES OF THE SENATE AND ASSEMBLY

COMMITTEES AND COMMITTEE MEETINGS

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the rules of each house.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those rules.

BILLS AND RESOLUTIONS

Definition of Word Bill

4. Whenever the word "bill" is used in these rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the federal government

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and except as provided in Rule 24. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Introduction of Bills

8.3. No bill shall be introduced after the 110th calendar day of a general session except as follows:

(a) A written notice of intention to introduce a bill, a copy of the bill and a digest prepared pursuant to Rule 85 shall be filed with the Chief Clerk of the Assembly or the

Secretary of the Senate, as the case may be, and shall be transmitted to the Rules Committee of the appropriate house. The notice and digest shall be printed in the Journal of that house.

(b) The Rules Committee of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for the introduction of the proposed bill.

(c) If the Rules Committee recommends that introduction of the proposed bill be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to introduce the bill. The adoption of the resolution granting such permission shall require an affirmative recorded vote of two-thirds of the elected members of the house in which the request is made.

As used in this rule "bill" includes constitutional amendments but does not include joint or concurrent resolutions.

Digest of Bills Introduced

8.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction which does not comply with the foregoing requirements of this rule the Secretary or Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof. If a material error in the printed digest is brought to the attention of the Legislative Counsel, he shall prepare a corrected digest which shall show the changes made in the digest as provided in Joint Rule 13 for amendments to bills. He shall deliver the corrected digest to the Secretary or the Chief Clerk, as the case may be. If the correction warrants it in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending or repealing a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through

the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended or repealed, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended or repealed were a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification or when an entire title, part, division, chapter or article of a code is repealed, the sections comprising such code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

Introduction of Departmental Bills

10.5. No departmental bill shall be introduced at the request of or on behalf of any state officer or agency except the Governor after the 30th calendar day of any general session. No departmental bill shall be introduced in both houses of the Legislature at any session.

The Secretary of the Senate and the Chief Clerk of the Assembly shall have distinctive covers or backs prepared for departmental bills that are introduced at the request of or on behalf of any state officer or agency, which shall show at whose request the bill is introduced. Any such bill when printed shall include in its heading a statement that the introduction of the bill was requested by a state officer or agency and setting forth the title of the officer or agency that made the request. Only those bills which are so identified shall be construed to be departmental bills within the provisions of this rule.

Consideration of Bills

10.8. At a general session, no bill shall be heard by any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced, except this provision and the limitation contained in Section 2(a) of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for such dispensation entitled "Request to Consider and Act on Bill Within 30 Calendar Days" shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, printed in the Journal and transmitted to the Rules Committee of the appropriate house.

(b) The Rules Committee of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill's introduction.

(c) If the Rules Committee recommends that said waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution shall require an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.

As used in this rule "bill" includes constitutional amendments but does not include joint or concurrent resolutions.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—Manner of Printing Bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests by members for mailing or distribution of copies of the Weekly Histories, the Legislative Digest and the Legislative Index shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Except as otherwise provided by either the Assembly or Senate, each Member of the Senate and Assembly shall be permitted to submit a list of 10 organizations or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of copies of the Weekly Histories, the Legislative Digest and the Legislative Index to supply this list together with such number of bills and legislative publications as may be necessary for legislative requirements.

No complete list of bills shall be delivered except upon payment therefor of the sum of one hundred seventy-five dollars (\$175) at a general session or twenty-five dollars (\$25) at a budget session. Not more than two copies of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, shall be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's office; Secretary of State's office; Controller's office; Governor's office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the California Law Revision Commission; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

13.1. The Legislative Counsel shall provide for the compilation and periodic publication of the digests mentioned in Rule 8.5 in separate pamphlets for each house. He shall also provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation. The State Printer shall print the pamphlet digests (comprising the Legislative Digest) and the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14 The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the

Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A Daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed, once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject

to the rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

Uncontested Bills

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the consent calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman appropriate forms for such report. As used in this rule, "uncontested bill" means a bill, except a revenue measure, which: (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present; and (b) has no opposition expressed by any person present at the committee meeting with respect to the final version of the bill as approved by the committee; and (c) prior to final action by the committee has been requested, by the author, to be placed on the consent calendar.

Consent Calendar

22.2. Following their second reading and the adoption of any committee amendments thereto, if any, all bills certified by the committee chairman as uncontested bills shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the consent calendar, and shall be known as "consent calendar bills." Any consent calendar bill which is amended from the floor shall cease to be a consent calendar bill and shall be replaced on the second reading file. Upon objection of any member to the placement or retention of any bill on the consent calendar, such bill shall cease to be a consent calendar bill and shall be replaced on the second reading file. No consent calendar bill shall be considered for adoption until the second legislative day following the day of its placement on the consent calendar.

Consideration of Bills on Consent Calendar

22.3. Bills on the consent calendar are not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit the proponents of such bills to answer such questions. Immediately prior to voting on the first bill on the consent calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the members the fact that the next rollcall will be the rollcall on the first bill on the consent calendar.

The consent calendar shall be considered as the last order of business on the Daily File.

PASSAGE AND ENROLLING OF BILLS

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate within 15 days, and no Assembly bill shall be passed by the Assembly within 10 days prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to

determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Two copies of such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members

elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committee on conference shall report to both the Senate and the Assembly.

Report of Committee on Conference

29. The report of the committee on conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed; provided, however, that no more than three different conference committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than two of the Senate Members and two of the Assembly Members constituting the committee to agree upon a report. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill.

The report of a conference committee shall be in writing, and a copy of any amendments proposed in the report shall be placed on the desk of each member of the house before it is acted upon by the house.

When Conference Committee Report Is in Order

30. The presentation of the report of a committee on conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during rollcall, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Conference Committee Reports on Urgency Measures

30.5. When the report of a committee on conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency measure, the procedure and the vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall adopt the report of the committee on conference shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to adopt the report of the committee on conference.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 24 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupations or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privilege of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the Standing Committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the

Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in conference committee.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first-named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, or of any amendment made or proposed to

be made to such bill or measure, he is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

Resolutions Prepared by Legislative Counsel

34.1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he shall inform each subsequent requester that such a resolution is being, or has been, prepared, and shall furnish such subsequent requester with the name of the member for whom the resolution was, or is being, prepared.

Memorial Resolutions Regarding Members and Former Members of the Legislature

34.2. Whenever the death of a Member of the Legislature or a former member whose service was particularly notable, or any other person who has rendered exceptional service to society or has been unusually prominent in public life occurs, a concurrent resolution may be used as a memorial resolution in respect thereto. In all other instances a Senate resolution or a House resolution, or both, shall be used as a memorial resolution with respect to the deaths of other persons. In all cases a Senate resolution or a House resolution, or both, shall be used to congratulate any person or organization upon the occurrence of any significant event or achievement.

Expense of Members

35. As provided in Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the Legislature (including any recess of three days or less) an allowance authorized for other elected state officers at the time the expense is incurred.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute pro-

vide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose but no committee

shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of twelve and one-half cents (\$.125) per mile each way for travel both within and without the State incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of twenty-five dollars (\$25) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairman, but excluding other types of mileage, and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman. The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be entitled to receive the same expense allowances as if the committee were functioning within the State.

This rule governs mileage only with respect to travel to and from committee meetings and with respect to travel necessary to carry out specific assignments made by the chairman of a committee. Such mileage is chargeable to the funds allocated to the specific committee for whom the travel was undertaken. Nothing in this rule shall prevent either house from providing by rule or resolution for the payment of mileage at the same rate herein specified for travel incurred in connection with committee business generally, payable from the contingent

funds of either house after approval by the Rules Committee of that house, or its authorized representative.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

Expenses of Interim Committee Employees

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally; provided, that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing.

Appointment of Committees

36.5. The provisions of this rule shall apply whenever a joint interim committee is created by a statute or resolution which either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or which makes no provision for the appointment of members or the filling of vacancies.

The Senate members of the committee shall be appointed by the Senate Committee on Rules; the Assembly members of the committee shall be appointed by the Speaker; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

Legislative Budget Committee

37. In addition to any other committee provided for by these Rules, there shall be a joint committee to be known and called the Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expend-

itures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of seven Members of the Senate and seven Members of the Assembly. The Senate members of the committee shall consist of seven Members of the Senate appointed by the Committee on Rules. The Assembly members of the committee shall consist of seven Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not re-elected at the general election.

Any vacancies occurring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Analyst, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst shall be as follows:

(1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:

- (a) State budget.
- (b) Revenue and expenditures of the State.
- (c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee or, in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

On and after the commencement of a succeeding general session those members of the committee who continue to be

Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody, available to the Members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Analyst with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the government of the State of California. But, except as hereinabove provided, neither the Legislative Analyst nor any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requester to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requester or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be any material delay he shall subsequently communicate this fact to the requester. In the event the committee refuses such authorization, he shall inform such requester forthwith.

Registration of Legislative Representatives

37.5. In addition to the duties hereinabove prescribed the Legislative Analyst is directed, so long as he is designated to be "clerk" or "secretary" pursuant to; Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the Joint Rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee.

Adjournment

38. Adjournment sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. All regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

Joint Committee on Legislative Organization

40. The Joint Committee on Legislative Organization is hereby created. The committee has a continuing existence and may meet, act, and conduct its business during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of seven members of the Assembly Committee on Rules and five members of the Senate Committee on Rules, and two Members of the Senate to be appointed by the Senate Committee on Rules. Vacancies occurring in the membership shall be filled by the appointing power.

The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning:

(a) The relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

(b) The legislative branch of the state government and any defects or deficiencies in the law governing that branch.

(c) Methods whereby legislation is proposed, considered and acted upon.

(d) The operation of the Legislature, and the committees thereof, and the means of co-ordinating the work thereof and avoiding duplication of effort.

(e) Aids to the Legislature.

(f) Information and statistics for the use of the Legislature, the respective houses thereof, and the members.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To allocate space in the State Capitol Building and all annexes and additions thereto as provided by law.

(c) To approve, as provided by law, the appearance of the Legislative Counsel in litigation.

(d) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(e) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(f) To report its findings and recommendations, including recommendations for the needed revision of any and all laws and constitutional provisions relating to the Legislature, to the Legislature and to the people from time to time and at any time.

(g) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

(h) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

The committee shall succeed to, and is vested with all of the powers and duties of the State Capitol Committee, the Joint Committee on Interhouse Co-operation, and the Joint Standing Committee on the Joint Rules of the Senate and the Assembly.

40.1. In addition to the powers and duties otherwise vested in it, the Joint Committee on Legislative Organization shall succeed to, and is vested with, all the powers and duties of the Joint Legislative Committee for School Visitations, created by Senate Concurrent Resolution No. 8 of the 1955 Regular Session and continued by the 1957 and 1959 Regular Sessions of the Legislature.

Second, that the Joint Legislative Committee for School Visitations, as last continued by Assembly Concurrent Resolution No. 1 of the 1959 Regular Session, is abolished.

Third, that the powers, duties, function, responsibilities, property, employees, and funds of the Joint Legislative Committee for School Visitations are transferred to the Joint Committee on Legislative Organization.

40.2. In addition to the powers and duties otherwise vested in it, the Joint Committee on Legislative Organization shall succeed to, and is vested with, all the powers and duties of the Joint Legislative Committee on Legislative Reference Library, created by Assembly Concurrent Resolution No. 40 of

the 1959 Regular Session. The Joint Committee on Legislative Organization shall appoint and authorize a subcommittee to assume the powers and duties vested in the committee by this paragraph.

Claims for Workmen's Compensation

41. The Chairman of the Rules Committee of each house of the Legislature shall sign any required workmen's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer or employee of the house, or any employee of a standing or interim committee thereof. In the case of a joint committee, the Chairman of the Rules Committee of either house may sign any such report in respect to a member or employee of such joint committee.

Information Concerning Interim Committees

42. The Rules Committee of each house shall provide for a continuous cumulation during interim periods between sessions of the Legislature of information concerning the membership, organization, meetings and studies of legislative investigating committees. Each Rules Committee shall be responsible for information concerning the investigating committees of its own house and concerning joint investigating committees under the chairmanship of a member of that house. To the extent possible, each Rules Committee shall seek to insure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within 30 days after the adjournment of each regular session of the Legislature.

The information thus cumulated shall be made available to the public by the Rules Committee of each house and shall be published periodically under their joint direction.

CHAPTER 20

Senate Concurrent Resolution No. 16—Relative to amending Rule 36 of the Joint Rules of the Senate and Assembly for the 1962 Regular (Budget) Session, concerning expenses of members.

[Filed with Secretary of State March 27, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, as follows:

That Rule 36 of the Joint Rules of the Senate and Assembly for the 1962 Regular (Budget) Session be amended to read.

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute pro-

vide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as

may be made available to it for such purpose but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of fifteen cents (\$.15) per mile each way for travel both within and without the State incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of twenty dollars (\$20) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairman, but excluding other types of mileage, and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman. The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be entitled to receive the same expense allowances as if the committee were functioning within the State.

This rule governs mileage only with respect to travel to and from committee meetings and with respect to travel necessary to carry out specific assignments made by the chairman of a committee. Such mileage is chargeable to the funds allocated to the specific committee for whom the travel was undertaken. Nothing in this rule shall prevent either house from providing by rule or resolution for the payment of mileage at the same rate herein specified for travel incurred in connection with

committee business generally, payable from the contingent funds of either house after approval by the Rules Committee of that house, or its authorized representative.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

CHAPTER 21

Assembly Concurrent Resolution No. 16—Relative to Carl Greenberg.

[Filed with Secretary of State March 28, 1962.]

WHEREAS, It has come to the attention of the Members of the Legislature that Carl Greenberg, who so ably covered the legislative sessions for the Los Angeles Examiner, will not be returning to Sacramento; and

WHEREAS, During the many years he reported the daily happenings of the Legislature, Carl Greenberg won the respect and admiration of his associates for his consistent adherence to the highest standards and ideals of journalistic communications; and

WHEREAS, It has been a mark of his professional caliber that his news coverage has been accurate, informative and fairly presented; and

WHEREAS, The Legislature regrets losing the talents of a man whose career has been distinguished by such awards as first prize for the best news story, Southern California Newspaper Writers, 1944, and the Silver Award, California-Nevada Associated Press, 1957; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That this Legislature express its gratitude to Carl Greenberg for his impartial reporting of the legislative news and wish him success in his new position with the Los Angeles Times; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Carl Greenberg.

CHAPTER 22

*Assembly Concurrent Resolution No. 17—Relative to
Richard C. Bergholz.*

[Filed with Secretary of State March 28, 1962.]

WHEREAS, It has come to the attention of the Members of the Legislature that Richard C. Bergholz, widely known and popular Capitol news correspondent for the Mirror, will not be returning to Sacramento; and

WHEREAS, During his tenure at the Capitol, Mr. Bergholz earned a reputation as a man possessed of the highest ideals of journalism who writes forthright news stories which are accurate and dependable in every respect; and

WHEREAS, His honesty, sincerity and integrity won for him the respect and friendship of all who have been associated with him; and

WHEREAS, Recognized as an outstanding news correspondent, Mr. Bergholz has rendered exceptional service to the people of this State by continuously supplying excellent news coverage of the doings of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature commend Richard C. Bergholz for his many years of invaluable service in covering the happenings of the Legislature and wish him continued success in his new position with the Los Angeles Times; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Richard C. Bergholz.

CHAPTER 23

*Assembly Concurrent Resolution No. 12—Relative to the
California Law Revision Commission.*

[Filed with Secretary of State April 2, 1962.]

WHEREAS, Section 10335 of the Government Code provides that the California Law Revision Commission shall file a report at each regular session of the Legislature which shall contain a calendar of topics selected by it for study, including a list of the studies in progress; and

WHEREAS, The commission has submitted to the Governor and the Legislature its 1962 report, containing a list of studies in progress, all of which the Legislature has heretofore approved for study; and

WHEREAS, Section 10335 of the Government Code provides that after the filing of its first report the commission shall confine its studies to those topics set forth in the calendar con-

tained in its last preceding report which are thereafter approved for its study by concurrent resolution of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature approves for continued study by the California Law Revision Commission the heretofore approved topics on which studies are in progress as listed in the commission's 1962 report; and be it further

Resolved, That the California Law Revision Commission is authorized and directed to make a study to determine whether Vehicle Code Section 17150 should be revised or repealed insofar as it imputes the contributory negligence of the driver of a vehicle to its owner.

CHAPTER 24

Senate Joint Resolution No. 1—Relative to the issuance of a commemorative postage stamp for Father Junípero Serra.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, Civilization was planted in California in 1769 in the coming of Father Junípero Serra who established a system of Christian missions, and who is universally regarded by the people of California, of all denominations, as the father and founder of this great State; and

WHEREAS, In 1749 Father Serra sought and received the permission of his Franciscan superiors to journey to the New World and to work there as a plain and simple missionary among the Indians; and

WHEREAS, Father Serra served 18 years in Mexico engaging in frontier missionary work before he received orders to proceed to Alta or Upper California for the purpose of founding a mission system in a hitherto uncolonized area where there were no roads, factories, stores, farms and schools; and

WHEREAS, Within 15 years of his coming to California, and under primitive conditions, he was responsible for 10 missions for Alta California, stretching from San Diego in the south to San Francisco in the north; and

WHEREAS, As father president of the mission system of Alta California he established himself as a great leader, a man of rare ability and vision, a great administrator and teacher, and exemplified the sanctity and spirituality of St. Francis; and

WHEREAS, The entire career of Father Junípero Serra in California, which covered a period of 15 years, was characterized by faith and dedication which gave him the courage to continue his work in this wilderness area; and

WHEREAS, Father Serra was truly one of the original pioneers of California who sowed the first seed of civilization and established the first permanent settlements in Alta California in the Franciscan missions; and

WHEREAS, In 1913 Michael Williams characterized him as "A man among men as well as a gentleman and a scholar; a worker in the world as well as a seeker after the sanctity of the spirit; a generous, humorous, product as only the mystic mind may be, such was Serra—the first Californian; the founder of the civilization of the West"; and

WHEREAS, The year 1963 will mark the 250th anniversary of the birth of Father Junípero Serra; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the Postmaster General of the United States to provide for the issuance of a commemorative postage stamp in 1963 in honor of the 250th anniversary of the birth of Father Junípero Serra; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Postmaster General of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 25

Senate Joint Resolution No. 2—Relative to West Coast shipbuilding.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, The Congress of the United States in its wisdom has provided in subsection (d) of Section 502 of the Merchant Marine Act, 1936 (49 Stat. 1985), for a 6 percent differential for bids of West Coast shipyards for the construction of ships to be operated by steamship companies whose home office is located at Pacific Coast ports; and

WHEREAS, The shipbuilders of the Eastern and Gulf Coasts, without the aid of a comparison of ship construction costs, are presently seeking in the Congress of the United States to repeal this 6 percent differential; and

WHEREAS, The Western Shipbuilding Association has proposed an impartial study of comparative construction costs on the Atlantic, Gulf and Pacific Coasts; and

WHEREAS, The retention of the 6 percent differential is vital for the preservation of the West Coast shipbuilding industry because of the higher construction costs of this area; and

WHEREAS, The security of the United States requires a healthy and vigorous shipbuilding industry on the Pacific Coast as well as on the Atlantic and Gulf Seaboards; and

WHEREAS, Not only California but the other 12 western states including Alaska and Hawaii will be affected by the proposed repeal of the 6 percent differential, since they fur-

nish both raw materials and manpower to the shipbuilding industry on the Pacific Coast; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to authorize the proposed study, to retain the 6 percent differential allowed for bids of West Coast shipyards for the construction of ships, and to take any further action indicated as appropriate by the results of the study; and be it further

Resolved, That the Secretary of the Senate is directed to send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California, and the other 12 western states, in the Congress of the United States, and to Thomas Crowley, Jr., Chairman of the California Governor's Committee for Ship Construction and Repair, Thomas A. Rotell, Executive Secretary of the Pacific Coast Metal Trades District Council, Hugh Gallagher, Chairman of the San Francisco Mayor's Committee for Shipping, Shipbuilding and Ship Repair, and J. A. Byington, President of the Western Shipbuilding Association.

CHAPTER 26

Senate Concurrent Resolution No. 9—Relative to a state park in Siskiyou County.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, An analysis of state park potentials in western Siskiyou County, entitled "Mount Shasta-Siskiyou Area Study," dated January 2, 1962, has been submitted to the Legislature by the Division of Beaches and Parks pursuant to Senate Concurrent Resolution No. 46 and Assembly Concurrent Resolution No. 87 of the 1961 Regular Session; and

WHEREAS, This report points out five areas which have promise and are worthy of inclusion in the state park system in the best interests of the State of California and the need clearly exists for such a program of development; and

WHEREAS, The State Park Commission, in a resolution dated December 15, 1961, has agreed with the conclusions and recommendations contained in the report, but has recommended that the Division of Beaches and Parks conduct additional studies of the selected sites, to include development layouts, construction, and operational and maintenance estimates, as well as additional anticipated revenues and additional visitor estimates; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Division of Beaches and Parks, Department of Parks and Recreation, is requested to

supplement the report dated January 2, 1962, in accordance with the recommendation of the State Park Commission, and to report on definite costs, locations, and priorities for development of a state park in Siskiyou County, and that it submit such supplementary report to the Legislature not later than January 7, 1963; and be it further

Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the Chief of the Division of Beaches and Parks and to the State Park Commission.

CHAPTER 27

Senate Concurrent Resolution No. 11—Relative to the Governor's Mansion.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, The Governor's Mansion of the State of California, originally designed and built for Albert Gallatin about 1877, was purchased by the State in 1903 to become the residence of the Governor; and

WHEREAS, Just prior to 1903 it had been the home of Joseph Steffens, the father of California's noted journalist, Lincoln Steffens; and

WHEREAS, Aside from its historic value, the mansion, designed by Nathaniel Dudley Goodell, is one of the most interesting examples of the Victorian influence in California architecture; and

WHEREAS, Plans have recently been adopted for the construction of a new Governor's Mansion to be completed in 1963; and

WHEREAS, Everything possible should be done to see that the present building and the rich heritage which it represents are not lost to the people of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Division of Beaches and Parks of the Department of Parks and Recreation is requested to study and report to the Legislature not later than the fifth legislative day of the 1963 General Session on the feasibility of maintaining the present Governor's Mansion as a state historical monument and museum; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to William Warne, Administrator of the Resources Agency, Charles A. DeTurk, Director of the Department of Parks and Recreation, and Edward F. Dolder, Chief of the Division of Beaches and Parks.

CHAPTER 28

Senate Concurrent Resolution No. 12—Relative to honoring Thomas A. Doyle III, 1962 National Easter Seal Child.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, Thomas A. Doyle III, of Manhattan Beach, California, has at the age of 11 years demonstrated unbounded courage and determination to overcome the physical handicap with which he was afflicted by a crippling disease in early childhood; and

WHEREAS, This same Thomas A. Doyle III, known and loved as "Tommy" by his family, friends, neighbors and all who have occasion to come into contact with him, has throughout the course of the physical and emotional demands made upon him by his handicap yet maintained an unwavering good cheer and an unlimited faith in his future as a fully productive member of the world in which he lives; and

WHEREAS, Tommy Doyle has, by his demonstration of these qualities of courage, determination and good cheer inspired in those around him a deeper understanding and acceptance of the physically handicapped person on a footing of human equality; and

WHEREAS, Because of these attributes Tommy Doyle has been chosen by the National Society for Crippled Children and Adults to serve as the 1962 Easter Seal Child symbolizing the hundred of thousands of physically handicapped American children who share his dreams and aspirations; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature extend its congratulations to Tommy Doyle upon his selection as 1962 National Easter Seal Child and express to him its gratitude for the high honor he has by this attainment brought to the name of the State of California; and be it further

Resolved, That Tommy Doyle be hereby designated as California's ambassador to the physically handicapped children of our nation, to serve in this capacity during the 1962 Easter Seal Fund Appeal for the period March 15th through April 22d, 1962; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a suitably prepared copy of this resolution to Tommy Doyle, to the National Society for Crippled Children and Adults, to the California Society for Crippled Children and Adults, and to the Crippled Children's Society of Los Angeles County.

CHAPTER 29

Senate Concurrent Resolution No. 17—Relative to the City of Chowchilla.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, The year 1962 marks the 50th anniversary of the founding of the City of Chowchilla, a thriving community in the County of Madera in our fair State; and

WHEREAS, It was in the year 1912 that Chowchilla emerged from a cattle ranch of 108,000 acres to set in motion the chain of events which brought about the present busy community of more than 4,500 persons which lies in the agricultural heartland of California; and

WHEREAS, This conversion of a vast cattle ranch to diversified farming and a town began in earnest in 1913 when a bank was started, the first school building was erected, the first church was organized, a newspaper was established and water was brought forth from 33 artesian wells; and

WHEREAS, The year 1914 brought further growth to the city and its facilities when the Chowchilla Pacific Railroad was completed, electroliers were installed on two streets for a distance of a mile, the first fair was held, the first Women's Improvement Club was formed and the first baseball team was organized; and

WHEREAS, After these beginnings Chowchilla incorporated in 1923, as a city of the sixth class, and grew to what it is today, a thriving agricultural and manufacturing community whose grain, cotton and cottonseed and dairy products make it a part of the backbone of the economy of our State; and

WHEREAS, The citizens of Chowchilla are going to celebrate this 50th anniversary year with various festivities, including a homecoming, reunions, parade and a fair and spring festival time; and

WHEREAS, It is therefore most fitting that the Members of the Legislature of the State of California take this opportunity to join with celebrations of the citizens of Chowchilla on this happy occasion; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature commends the citizens of the City of Chowchilla on their 50 years of growth, progress and contributions to our State, congratulates them upon the 50th anniversary of their city and wishes them continued happiness and prosperity; and be it further

Resolved, That the Secretary of the Senate be directed to transmit copies of this resolution to Mr. Fred Burcher, Editor and Publisher of the Chowchilla News and Chairman of the Chowchilla Golden Anniversary Committee, the Chowchilla City Council, the Chowchilla Branch of the Madera County Library and the Chowchilla Chamber of Commerce, Ed. Chidlaw, Secretary.

CHAPTER 30

Assembly Concurrent Resolution No. 27—Relative to the preparation and printing of a Summary Digest and Subject List.

[Filed with Secretary of State April 4, 1962]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislative Counsel prepare in one volume a Summary Digest of statutes enacted and constitutional amendments proposed, and a Subject List of all bills, constitutional amendments, joint and concurrent resolutions introduced, at the 1962 Regular Session of the Legislature and at any extraordinary session of the Legislature that may be held concurrently therewith, and that copies be distributed to all Members of the Legislature as soon as possible after printing; and be it further

Resolved, That the Chief Clerk of the Assembly cause 1,000 copies of this document to be printed, the cost thereof to be paid from the legislative printing appropriation.

CHAPTER 31

Assembly Concurrent Resolution No. 28—Relative to expenses of the Joint Interim Committee on Law Revision.

[Filed with Secretary of State April 4, 1962]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the sum of one thousand one hundred dollars (\$1,100) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Senate and Assembly for the expenses of the Joint Interim Committee on Law Revision (created by Section 10301 of the Government Code), and its members and for any charges, expenses or claims it may lawfully incur, to be paid from said contingent funds equally and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 32

Assembly Concurrent Resolution No. 29—Relative to making additional funds available to the Legislative Audit Committee.

[Filed with Secretary of State April 4, 1962]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money

heretofore made available to it, the sum of three hundred thirty thousand dollars (\$330,000) or so much thereof as may be necessary, is hereby appropriated from the Contingent Funds of the Senate and Assembly for the payment of any and all expenses of the Joint Legislative Audit Committee (created by Section 10501 of the Government Code) and its members and for any charges, expenses, or claims it may incur, to be paid equally from the said contingent funds and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 33

Assembly Joint Resolution No. 11—Relating to the hunting of mourning doves.

[Filed with Secretary of State April 4, 1962.]

WHEREAS, The mourning dove is one of the most important and most numerous of all migratory game birds in the United States; and

WHEREAS, Legislation amending the Migratory Bird Treaty Act has been submitted in Congress to prohibit the hunting of mourning doves; and

WHEREAS, There is no evidence that the mourning dove population has been reduced by hunting anywhere in California and in fact there is evidence that mourning doves are more widespread and numerous than in past years, with an estimated average population on September 1st, annually, of 18,000,000 birds, of which 6,000,000 could safely be harvested although only about 2,000,000 are actually taken; and

WHEREAS, Doves are taken each year in California and provide a hunting sport that is available to many hunters, with almost 200,000 persons annually engaging in this activity; and

WHEREAS, Present federal and state laws and regulations provide adequate protection for mourning doves, as evidenced by their increased numbers over previous years; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States is respectfully requested not to amend the Migratory Bird Treaty Act to prohibit hunting of mourning doves; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 34

Assembly Concurrent Resolution No. 11—Relative to the control of starlings.

[Filed with Secretary of State April 4, 1962]

WHEREAS, The European starling is a most obnoxious bird with very messy roosting habits and is also potentially extremely dangerous to the agricultural economy of California; and

WHEREAS, Starling damage can be anticipated for most or all grains, with sorghums and corn receiving the greatest damage but with probable damage to cherries, grapes, and other fruits; and

WHEREAS, The available evidence indicates the starlings are a factor in the spread of diseases such as foot-and-mouth disease, histoplasmosis, toxoplasmosis, and psittacosis; and

WHEREAS, So long as these birds were only a migrating population they caused only limited seasonal damage, but now there is evidence that they have established themselves as a resident breeding population that can cause a most serious potential hazard; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Agriculture and the Department of Fish and Game are requested to take immediate action against this menace to our well-being; and be it further

Resolved, That the University of California is requested to research all possible methods which may be used to control the present population of starlings and to prevent further propagation of the species; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit copies of this resolution to the Department of Agriculture, Department of Fish and Game, and to the University of California.

CHAPTER 35

Assembly Concurrent Resolution No. 18—Relative to merit awards to state employees.

[Filed with Secretary of State April 4, 1962]

WHEREAS, Section 13926 of the Government Code provides awards may be made to state employees in excess of one hundred fifty dollars (\$150) when such awards are approved by concurrent resolution of the Legislature; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Perley C. Hamlin, Department of Corrections, for a suggestion that resulted in a one-time saving

of six thousand eight hundred dollars (\$6,800) by suggesting that the coil weight of steel coils for license plates be changed by increasing them from one hundred fifty (150) pounds per inch to two hundred (200) pounds per inch, thus eliminating an extra cost of twenty cents (\$0.20) per hundredweight. The surcharge had been imposed by the steel industry because of the specification weight requirement per inch of the steel coil; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Donald L. Chapman, Department of Corrections, for a suggestion that resulted in a one-time saving of sixteen thousand five hundred dollars (\$16,500) by suggesting that the pallets upon which license plates are stacked be changed so they could be stacked four high and five wide, thus permitting another pallet of license plates to be stacked on top, which could be done without bending or distorting the lower tier of license plates, which would have been the result under the old method; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Cynthia Gonsalves, Department of Education, for a suggestion which results in annual savings of four thousand two hundred dollars (\$4,200) by proposing a consolidation of the forms in preparation of Vocational Rehabilitation Form VR-112, Maintenance and Transportation Claims; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Oliver P. Stewart, Department of Employment, for a suggestion that results in annual savings of three thousand two hundred eleven dollars (\$3,211) by recommending the addition of an entry on Benefit Audit form, which eliminates unnecessary visits by investigators to the address of the firm when the records to be audited are kept by an accountant or bookkeeping firm at a different address; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to William E. Nichols, Department of Finance, for a suggestion that results in annual savings of five thousand four hundred ninety-seven dollars (\$5,497) per year by recommending the accounting office of the Department of Finance discontinue key-punching of pool car tickets and tags; eliminate the preparation of storage reports and reports of pool vehicle cost for gasoline and oil which is charged as an expense to state pool function and credited as intragarage revenue to the State Garage function. In addition to the annual savings, it also saves one hundred thirty thousand (130,000) tab cards per year, and one week of tabulating machine time per month; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to William E. Nichols, Department of Finance, for a proposal that effects annual savings of six thousand six hundred seventy-six dollars (\$6,676) by developing a revised procedure involving the handling of transactions of

the State School Building Aid Fund and the Public School Building Loan Fund. The savings accrue to the Local Allocations Division, one thousand two hundred twenty dollars (\$1,220) and to the accounting section, five thousand four hundred fifty-six dollars (\$5,456) of the Department of Finance; and

WHEREAS, An award of one hundred fifty dollars (\$150) divided equally has already been made to Ernest W. Murphey and Albert L. Reese, Department of Fish and Game, for a suggestion that effects a one-time savings of three thousand three hundred eighty-nine dollars (\$3,389) for devising an improvement in fish transportation tanks to increase aeration and number of fish carried; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Irvin S. Duncan, Department of Mental Hygiene, for a suggestion which resulted in a one-time savings of six thousand one hundred dollars (\$6,100) by proposing the installation of a shut-down pressure switch on air-conditioning equipment, and utilization of surplus equipment rather than having it done by an outside contractor; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Walter H. Hassell, Department of Mental Hygiene, for a suggestion that results in annual savings of two thousand dollars (\$2,000) by recommending a device that uses compressed air for cleaning roof gutters, valleys or any other elevated areas where ladders and scaffolding are normally used; and

WHEREAS, An award of one hundred fifty dollars (\$150), divided equally, has already been made to Dorothea Corrigan and Ann Holmes, Department of Motor Vehicles, for a suggestion that saves three thousand seven hundred fifty dollars (\$3,750) by suggesting the use of a rubber stamp on registration information requests rather than typing each reply individually; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Myrtle L. Gillenwaters, Department of Motor Vehicles, for effecting annual savings of four thousand three hundred fifty-eight dollars (\$4,358) by proposing a revision and consolidation of procedures for effecting the transfer of titles on confiscated cars. This involves both the Departments of Motor Vehicles and Finance, but the net result is that it reduced the number of days storage upon which storage charges were levied by commercial and state garages on confiscated cars; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Toshie Kobata, Department of Motor Vehicles, for a suggestion that results in annual savings of twenty-three thousand four hundred seventeen dollars (\$23,417) by recommending that negligent operator and alcoholic probation order forms, and various report forms, be printed in block form so that the typist can check the proper blocks indicating conditions of probation and what has to be done to

obtain a license. This eliminates typing individual letters and has eliminated a large backlog by increasing the production of typists by almost 100 percent; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Margerite C. Weaver, Department of Mental Hygiene, for a suggestion that results in annual savings of five thousand five hundred dollars (\$5,500) for proposing the Department of Public Health mail educational film at standard library materials mailing rate rather than sending them "special delivery" with a charge of fifty-five cents (\$0.55) on each film package. The Department of Public Health mails approximately ten thousand (10,000) of these film packets per year; and

WHEREAS, An award of one hundred fifty dollars (\$150), divided equally, has already been made to Gloria Aby and Donald Meyer of the Department of Public Health, for a suggestion that results in annual savings of three thousand five hundred thirty-four dollars (\$3,534) by proposing the installation of three foreign exchange trunks from Berkeley to San Francisco, thus eliminating toll or unit message charges on approximately 25 percent of the telephone calls from the Public Health switchboard in Berkeley; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to John J. Gibbons, Public Utilities Commission, for a suggestion that resulted in annual savings of twelve thousand five hundred forty dollars (\$12,540) by proposing the use of annual report insert sheets for "Annual Abstracts of Reports" and "Summaries of Operations". This results in a reduction of four hundred eighteen (418) man-days in preparing this report; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Richard N. Brink, Division of Highways, for recommending a revised procedure for the development of a grid plan through the use of electric computer method during the design stage, resulting in annual savings of six thousand dollars (\$6,000) per year; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to William J. Ellis, Division of Highways, which results in annual savings of three thousand two hundred thirty-one dollars (\$3,231) by recommending the direct take-off of terrain notes onto overlay strips from data supplied by topographic maps, enabling one person to do the same job that formerly required two people; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Daniel C. McRae, Division of Highways, for a suggestion that results in annual savings of two thousand three hundred dollars (\$2,300) by recommending a change in the method of handling field and traveling mechanics' non-productive labor and expense items in repairing rental equipment; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Arthur J. Wiley, Division of Highways,

for a suggestion which results in annual savings of two thousand two hundred forty dollars (\$2,240) by recommending a modified procedure for welding splices in pipe signposts and by recommending that such splices be permitted within specified limits as an economy measure; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Dorothy R. Flanigan, Department of Social Welfare, for a suggestion that results in annual savings of four thousand five hundred twenty-seven dollars (\$4,527) by proposing a procedure to eliminating retyping of proposed public assistance appeal decisions. The proposal substitutes a photographic process which is faster and eliminates typing and consequent proofreading; and

WHEREAS, An award of one hundred fifty dollars (\$150), divided equally, has already been made to Patricia O'Brien and Wanda Ohe, State Compensation Insurance Fund, for a suggestion that results in annual savings of five thousand four hundred forty-two dollars (\$5,442) by developing a procedural guide to be used by underwriters and policywriters in processing of application forms; and

WHEREAS, An award of one hundred fifty dollars (\$150), divided equally, has already been made to Carroll Emery and Walter Doebele, Department of Water Resources, for a suggestion that results in annual savings of twelve thousand dollars (\$12,000) in the time of the engineers of the Department of Water Resources by recommending a change in the method of preparing land and water use and classification maps. The new procedure reduces the processing from sixteen (16) steps to nine (9) steps, cutting the labor costs to less than one-half, with only a negligible increase in the cost of material; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Rudolph Kuhn, Department of Youth Authority, for a suggestion that results in annual savings of seven thousand nine hundred thirteen dollars (\$7,913) by recommending the use of mimeographed Youth Authority forms addressed to parole officers notifying them of the acceptance of a case and requesting father's or mother's true name and social security number of the ward. The use of this new form enables the intake officer to have information on Veterans Administration and O A.S.I. payments and is used by the parole officer who makes the initial home investigation on all cases and advises headquarters office of payments that may be due to the State; and

WHEREAS, The suggestions of these employees have resulted in one-time and recurring savings and increased interest savings amounting to one hundred fifty-three thousand one hundred twenty-five dollars (\$153,125) annually; and

WHEREAS, As a result of these savings it is unnecessary to appropriate additional funds for the payment of these awards; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the following additional

awards which have been approved by the State Board of Control, are hereby authorized to the employees named:

Perley C. Hamlin, one hundred ninety dollars (\$190);
Donald L. Chapman, two hundred fifty dollars (\$250);
Cynthia Gonsalves, two hundred seventy dollars (\$270);
Oliver P. Stewart, one hundred seventy dollars (\$170);
William E. Nichols, three hundred ninety-nine dollars (\$399);
William E. Nichols, five hundred seventeen dollars (\$517);
Ernest W. Murphey, nine dollars fifty cents (\$9.50);
Albert L. Reese, nine dollars fifty cents (\$9.50);
Irvin S. Duncan, one hundred fifty-five dollars (\$155);
Dorothea Corrigan, one hundred twelve dollars fifty cents (\$112.50);
Anna Holmes, one hundred twelve dollars fifty cents (\$112.50);
Walter H. Hassell, forty-five dollars (\$45);
Myrtle L. Gillenwaters, two hundred eighty-five dollars (\$285);
Toshie Kobata, one thousand fifty dollars (\$1,050);
Margerite C. Weaver, one hundred twenty-five dollars (\$125);
Gloria Aby, one hundred one dollars fifty cents (\$101.50);
Donald Meyer, one hundred one dollars fifty cents (\$101.50);
John J. Gibbons, one thousand one hundred four dollars (\$1,104);
Richard N. Brink, four hundred fifty dollars (\$450);
William J. Ellis, one hundred seventy-five dollars (\$175);
Daniel C. McRae, one hundred eighty dollars (\$180);
Arthur J. Wiley, seventy-four dollars (\$74);
Margaret A. Bond, fifty dollars (\$50);
Dorothy Flanigan, seventy-six dollars (\$76);
Wanda Ohe, one hundred ninety-seven dollars (\$197);
Patricia O'Brien, one hundred ninety-seven dollars (\$197);
Carroll Emery, five hundred twenty-five dollars (\$525);
Walter Doebele, five hundred twenty-five dollars (\$525);
Rudolph Kuhn, six hundred forty-one dollars (\$641);; and
be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Board of Control and the State Controller.

CHAPTER 36

Senate Concurrent Resolution No. 4—Relative to a study of master plans for school district unification.

[Filed with Secretary of State April 5, 1962]

WHEREAS, A state law, enacted in 1959, requires each county committee on school district organization to prepare a county

master plan for the inclusion of all territory in the county in unified districts and requires that the master plans be submitted to the State Board of Education for approval on or before September 15, 1963; and

WHEREAS, At the 1961 Regular Session, both the Senate and the Assembly adopted Senate Bill No. 1162, which would have extended the date for submission of the master plans from September 15, 1963 to September 15, 1967; and

WHEREAS, There is a need for a study of the effects of the failure to extend the date for the submission of the master plans for the formation of unified districts; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Rules Committee of the Senate and the Rules Committee of the Assembly, respectively, assign the subject of the effects of the failure to extend the submission date of the county master plans to an appropriate committee of the Senate and to an appropriate interim committee of the Assembly, respectively, for study and report and direct the committee and the interim committee to report to the Senate and the Assembly on the fifth calendar day of the 1963 General Session

CHAPTER 37

Senate Concurrent Resolution No. 6—Relative to a study of the feasibility of a Humboldt Bay Crossing.

[Filed with Secretary of State April 5, 1962]

WHEREAS, The industrial development of the Samoa Peninsula has necessitated the advisability of providing an adequate access highway connecting the City of Eureka and Samoa Peninsula in order to facilitate trade and commerce; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Works is requested to conduct a preliminary study, in co-operation with the United States Corps of Engineers, of the feasibility of providing a bridge crossing over Humboldt Bay which would connect the Samoa Peninsula with the City of Eureka; and be it further

Resolved, That the Department of Public Works is requested to include in such study, among other things, comprehensive traffic surveys, preliminary estimated costs, possible co-ordination of the crossing with state or county highways, and the general effect on navigation; and be it further

Resolved, That the Department of Public Works is requested to defray the costs of the study from moneys available in the State Highway Fund for highway planning and is further requested to secure matching contributions of federal funds

available for highway planning to the extent that such are available; and be it further

Resolved, That the Department of Public Works is requested to transmit a report of said study to the Legislature by January 15, 1963 in order that the Legislature may at that time determine from the results of said preliminary study whether or not the study of such bridge should be continued to its final conclusion; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of the Department of Public Works

CHAPTER 38

Senate Concurrent Resolution No. 20—Relative to a prospectus for a comprehensive transportation plan of the San Francisco Bay area.

[Filed with Secretary of State April 5, 1962]

WHEREAS, No comprehensive transportation plan for the entire area comprising the nine counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma) surrounding San Francisco Bay now exists; and

WHEREAS, Over the years numerous studies have been made touching upon different aspects and portions of the problems involved; and

WHEREAS, The proper planning for highways, rapid transit, bridges, tubes, hydrofoils, helicopters, and so forth, requires knowledge and consideration of all types of transportation facilities to be provided; and

WHEREAS, The proper steps to ultimately prepare an adequate comprehensive transportation plan cannot be determined without a thorough critical review of all existing transportation, land use and economic development studies and the formulation of a prospectus as to the manner and scope of a comprehensive and final study; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Highway Transportation Agency in collaboration with the State Office of Planning, the Institute of Traffic and Transportation Engineering of the University of California, the Automotive Safety Foundation, the San Francisco Bay Area Rapid Transit District, the Alameda-Contra Costa Rapid Transit District and all other public and private agencies interested in the subject matter, and in close working relationship with the counties and cities of the San Francisco Bay area is requested to prepare or cause to be prepared a detailed technical prospectus covering the scope and the objectives of a comprehensive transportation study covering the nine counties adjoining San Fran-

cisco Bay. The State Highway Transportation Agency is requested to attempt to obtain the co-operation and participation of all public and private agencies interested in the subject matter, including but not limited to the governmental bodies in the area and of private, civic and other organizations. It is the policy of the Legislature to encourage financial participation by all such agencies and thereby insure active interest and participation; and be it further

Resolved, That the State Highway Transportation Agency is requested to include in such prospectus such matters as a thorough critical review of all land use, transportation and economic development studies as they relate to the field of transportation; and be it further

Resolved, That the State Highway Transportation Agency, from available planning money, is requested to supplement the contributions from other agencies to the extent necessary to comply with the requests of this resolution; and be it further

Resolved, That the State Highway Transportation Agency is requested to prepare or cause to be prepared a report in the form of a prospectus covering the information above referred to and submit a copy of it to each Member of the Legislature by November 1, 1962; and be it further

Resolved, That the Secretary of the Senate is directed to prepare and transmit copies of this resolution to the Director of the State Highway Transportation Agency.

CHAPTER 39

Senate Concurrent Resolution No. 21—Relative to Mason's Manual of Legislative Procedure.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The Manual of Legislative Procedure written by Paul Mason and reprinted several times since its first appearance in 1937 has been recognized in many other states as well as California as a valuable and comprehensive reference to parliamentary procedure for general state use; and

WHEREAS, There has been a recent demand for copies of the manual last printed in 1953 by the California State Printing Office and now out of print; and

WHEREAS, Mr. Paul Mason has very generously offered to make the plates available to the State Printer free of charge; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Printing Office is directed to print three thousand (3,000) copies of Mason's Manual of Legislative Procedure, the cost of publication to be paid out of the appropriation for legislative printing; and be it further

Resolved, That the Department of Finance shall fix a price for the manual sufficient to cover the cost of printing and binding the manual, and such moneys as may be received by the department for the sale of the manual shall be credited to legislative printing.

CHAPTER 40

Senate Concurrent Resolution No. 25—Relative to the naming of the Huasna River Bridge on State Highway Route 57 in memory of the late Senator John J. Hollister.

[Filed with Secretary of State April 5, 1962]

WHEREAS, The late Honorable John J. Hollister, State Senator from Santa Barbara County, faithfully served his community and his State with wisdom and courage; and

WHEREAS, Senator Hollister during his years of service in the Legislature worked diligently and continuously for the advancement and improvement of the Santa Maria-Cuyama Highway, State Highway Route 57, and was instrumental in making it a major highway in the State Highway System; and

WHEREAS, It is highly fitting that the Huasna River Bridge on the Santa Maria-Cuyama Highway be named in memory of the devoted efforts of Senator John J. Hollister; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Huasna River Bridge on the Santa Maria-Cuyama Highway, State Highway Route 57, is hereby officially designated and named the "John J. Hollister Memorial Bridge"; and be it further

Resolved, That the Division of Highways of the State Department of Public Works is requested to erect and maintain appropriate signs on this bridge showing this official designation; and be it further

Resolved, That the Secretary of the Senate is directed to prepare and transmit copies of this resolution to the Division of Highways in the State Department of Public Works.

CHAPTER 41

Senate Concurrent Resolution No. 27—Relating to the driver education and training program.

[Filed with Secretary of State April 5, 1962]

WHEREAS, Driver education, although it is a worthy program contributing to the reduction of the accident rate on our highways, consumes precious time of students in the California

school system, which time could otherwise be more profitably spent in classroom academic instruction; and

WHEREAS, It may be more feasible to transfer this program to the Department of Motor Vehicles which could utilize the present driving instructors for instruction in driver education and training during other than the regular school hours; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Motor Vehicles and the Department of Education are hereby requested to co-operate in conducting a study, and jointly to make their report and recommendations to the Legislature by the fifth calendar day of the 1963 Regular Session, on the feasibility of transferring the driver education and training program from the California school system to the Department of Motor Vehicles; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the Director of Motor Vehicles and to the Superintendent of Public Instruction.

CHAPTER 42

Assembly Concurrent Resolution No. 21—Relative to the improvement of a portion of State Highway Route 1.

[Filed with Secretary of State April 5, 1962]

WHEREAS, The 24-mile stretch of State Highway Route 1 in Mendocino County through the Cummings, Leggett and Piercy area is one of the most substandard and obsolete sections of mainline highway remaining in California; and

WHEREAS, This particular portion of Route 1 was constructed in the late 1920's and early 1930's with roadbed widths ranging from 20 to 26 feet and only a very minor part thereof has been improved since that time; and

WHEREAS, The highway contains 255 curves, thus reflecting the tortuous winding roads typical of construction 30 years ago, and has been the scene of countless fatal accidents; and

WHEREAS, State Highway Route 1 is the lifeline of the Redwood Empire and the north coastal area, a fact well illustrated when it is realized that an average of 2,660 vehicles use the highway each day and by 1981 it is estimated that the figure will be 8,400 vehicles per day; and

WHEREAS, The coastal area of Humboldt County has been determined to be one of the safest areas on earth as far as radioactive fallout is concerned and has been designated as an evacuation reception center, so that in the event of an enemy attack, the highway in question will be of vital necessity in military operations and civil defense; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California Highway Commission is requested to consider the allocation of money in the State Highway Fund for the construction of a new freeway to replace that portion of State Highway Route 1 in Mendocino County through the Cummings, Leggett and Piercy area at the earliest practical time, giving due regard for other highway needs in the northern section of the State; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the California Highway Commission.

CHAPTER 43

Assembly Concurrent Resolution No. 30—Relative to Invest in America Week.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The American people through their own efforts have produced an economic system which provides the highest standard of living in the world; and

WHEREAS, Economic growth such as that experienced throughout California is based on the investment of savings which in turn creates opportunities, jobs and higher wages for all; and

WHEREAS, An understanding of the inner relationship of savings and the growth of our economy is fundamental; and

WHEREAS, Invest in America observance provides all of us an opportunity to reaffirm our understanding that every citizen is an investor; and

WHEREAS, The Northern California Invest in America community program has again received national recognition from the Freedoms Foundation at Valley Forge for its "outstanding achievement in bringing about a better understanding of the American way of life"; and

WHEREAS, The Invest in America program is supported and encouraged by every segment of our society, including business, labor, religious, educational and governmental groups throughout California and the nation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of April 29th through May 5th be designated as Invest in America Week throughout the State of California, and all citizens be encouraged to join in reaffirming their faith in our American way of life.

CHAPTER 44

Assembly Concurrent Resolution No. 32—Relative to the old administration building at the Preston School of Industry.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The preservation of historical landmarks is demanded by the public which desires to maintain these ties with our glorious heritage from earlier days; and

WHEREAS, One such historical landmark is the old administration building at the Preston School of Industry in Ione; and

WHEREAS, This building is in danger of being torn down by the California Youth Authority, which has actually budgeted funds for this destruction; and

WHEREAS, Even if not destroyed by official action, the building is endangered by vandals and trespassers; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Youth Authority is requested to delay action on the destruction of this building until after January 1, 1965, and is further requested to construct a fence around this building and to take all other steps necessary to protect it from vandals and trespassers; and be it further

Resolved, That the Youth Authority is requested to cooperate with the Amador Citizens Committee for Historical Preservation in their efforts with respect to this building, including allowing them to inspect the premises and to study the feasibility and cost of its preservation; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the California Youth Authority and the Amador Citizens Committee for Historical Preservation.

CHAPTER 45

Assembly Concurrent Resolution No. 35—Relative to yogurt.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The transportation of yogurt may adversely affect the physical characteristics of the product, but this result can readily be avoided by the addition of edible stabilizers; and

WHEREAS, The addition of such stabilizers to a variety of products, including sour cream dressing, cottage cheese, whipped cream or cream topping, and eggnog is presently specifically authorized by the Agricultural Code; and

WHEREAS, The addition of proper amounts of such stabilizer in no way adversely affects the yogurt for human consumption; and

WHEREAS, The provisions of law establishing the standards for yogurt are ambiguous as to the addition of edible stabilizers; and

WHEREAS, Any administrative determination prohibiting the use of edible stabilizers in proper amounts would most adversely affect the economy of the manufacturers of yogurt; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Agriculture is requested not to make any administrative determination or to take any action which would prohibit the addition of proper amounts of edible stabilizer to yogurt until such time as the Legislature has had an opportunity to study the problem and resolve any ambiguities at the 1963 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of Agriculture.

CHAPTER 46

Assembly Concurrent Resolution No. 37—Relative to a Davis-Grunsky Act loan to South Sutter Water District.

[Filed with Secretary of State April 5, 1962]

WHEREAS, By Chapter 2163, Statutes of 1959, the Legislature authorized a loan to the South Sutter Water District to be made from the Local Project Assistance Fund; and

WHEREAS, Said loan of \$1,260,000 was for the purpose of supplementing a federal loan under Public Law 984, 84th Congress; and

WHEREAS, Because of changed conditions and refinements of design, the district has found it necessary to seek additional financing, and has made application for a supplemental loan under the Davis-Grunsky Act; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the intent of the Legislature that said supplemental loan be processed by the Department of Water Resources under standards set forth in its rules and regulations, and that action on the loan by the California Water Commission be expedited in order that construction on the South Sutter Water District's Camp Far West Project can be initiated this summer; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Department of Water Resources and the California Water Commission.

CHAPTER 47

*Assembly Concurrent Resolution No. 38—
Relative to venereal disease.*

[Filed with Secretary of State April 5, 1962.]

WHEREAS, In the federal fiscal year 1961, 18,781 cases of infectious syphilis were reported to health authorities in this country, and this was the second consecutive year in which an increase of over 50 percent was reported; and

WHEREAS, In California infectious syphilis has increased 391 percent and gonorrhea has increased 56.3 percent during the last six years; and

WHEREAS, In spite of underreporting, venereal diseases ranked third among the communicable diseases reportable in California during 1961; and

WHEREAS, The greatest rise in syphilis during the last few years has been among teenagers, causing an acute problem in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the State Department of Public Health is requested to undertake a study of the alarming increase in venereal disease in California and to report thereon, with any recommendations for legislation, to the Legislature by not later than the fifth calendar day of the 1963 General Session; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the State Department of Public Health.

CHAPTER 48

Assembly Joint Resolution No. 4—Relative to an international exposition in San Francisco.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, 1965 will be the 50th anniversary of the Panama-Pacific International Exposition held in San Francisco in 1915; and

WHEREAS, San Francisco has grown and enhanced its position as a gateway to the Pacific and Latin America in those 50 years; and

WHEREAS, 1969 will be the 30th anniversary of the holding of the San Francisco International Exposition; and

WHEREAS, No more auspicious time and site could be selected for emphasizing our historic ties with the free countries of the Orient and of Latin America; and

WHEREAS, The consummation of an international exposition in San Francisco will be dramatic enough in scope to fix

world interest on the State of California and San Francisco in particular; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to designate the City and County of San Francisco as the site of an international exposition in the period between 1965 and 1970; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and to the Speaker of the House of Representatives and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 49

Assembly Joint Resolution No. 6—Relative to the control of European starlings.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The European starling (aptly named *Sturnus vulgaris*) is not only a bird of most disagreeable habits in his noisy, unmelodic call and messy roosting habits, but is also a serious agricultural pest; and

WHEREAS, This bird represents a serious danger to agriculture, particularly as to grains, cherries and grapes, and quite seriously with regard to figs, olives, pears, apples, peaches and all types of bush berries; and

WHEREAS, This obnoxious bird also, on the basis of all available evidence, appears to be a carrier of disease, including foot-and-mouth disease, histoplasmosis, toxoplasmosis and psittacosis; and

WHEREAS, Until recently the populations of starlings in California were merely migrating populations, which, although creating seasonal problems, are of minor importance compared to resident breeding population and the tremendous damage and problems that can be created by the latter; and

WHEREAS, Such a breeding population would now seem to be established in California to the extent that large winter flocks of up to 50,000 birds have been observed with a virtual explosion in this population imminent due to the more favorable climatic condition in California; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take all immediate steps possible, including dissemination of information, which will aid in preventing further damage by starlings, not only to the agricultural economy of California but also to the agricultural economy of ad-

joining states in which the starling is likely to migrate; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 50

Assembly Joint Resolution No. 10—Relative to price support of milk.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, Milk is one of the most vital of all food products to the health and welfare of the citizens of this country; and

WHEREAS, The many problems in the production and marketing of milk are such that in order to insure an adequate supply governmental assurance of an adequate price for such milk is necessary; and

WHEREAS, The producers of milk subject to price support in California and throughout the nation are presently experiencing extreme economic difficulty; and

WHEREAS, Any reduction in the present support price would undoubtedly result in many producers who are presently forced to sell at less than production cost having to cease production and leave the business; and

WHEREAS, Any reduction in the present support price could also drastically affect those producers of grade A milk who are also supplying milk the price of which is directly related to such support price; and

WHEREAS, Unless immediate action is taken the price support level will drop from \$3.40 to \$3.11 per hundredweight on April 1, 1962; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the United States Secretary of Agriculture and the Congress of the United States are hereby respectfully requested to take all action possible to maintain the present price support level of milk for manufacturing purposes at its present level for at least so long as is necessary to properly study and evaluate all factors relevant to providing adequate protection to the suppliers of this vital commodity; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, each Senator and Representative from California in the Congress of the United States, and the United States Secretary of Agriculture.

CHAPTER 51

Assembly Joint Resolution No. 13—Relative to the international exposition.

[Filed with Secretary of State April 5, 1962]

WHEREAS, For the first time a full-scale international exposition will be held in the dynamic, progressive and world-known City of Long Beach; and

WHEREAS, This world's fair to be held at Long Beach will present a major departure from the traditional format of international expositions by putting cardinal emphasis upon the talents, attainments and aspirations of the people of all participating nations, rather than simply exhibiting the mechanical developments of various countries; and

WHEREAS, The exposition will encompass the five phases of man's life in the realms of living, learning, working, moving, and playing, and the exposition will exhibit the various cultures of the nations of this planet Earth; and

WHEREAS, The international exposition shall have as its foundation the dignity of man, and portray to all the world the advantages enjoyed by a people living under a government which derives its powers from and with the consent of the governed; and

WHEREAS, The international exposition for Southern California to be held at Long Beach in the year 1966 will depict the role of arts and sciences, commerce and industry as it applies to the life of mankind on the planet of Earth; and

WHEREAS, Pier J will be the spectacular site of this international exposition; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to designate the worlds fair, to be held at Pier J in Long Beach, California, in 1966, as an international exposition; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 52

Senate Concurrent Resolution No. 15—Relative to making additional funds available to the Joint Legislative Budget Committee, established by Chapter 1667 of the Statutes of 1951.

[Filed with Secretary of State April 5, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That in addition to any money heretofore made available to it, the sum of four hundred seventy thousand dollars (\$470,000) or so much thereof as may be necessary is hereby appropriated from the Contingent Funds of the Senate and of the Assembly for the payment of any and all expenses incurred by the Joint Legislative Budget Committee or its members pursuant to and under authority of the provisions of Joint Rule No. 37 to be expended equally from the Contingent Funds of the Senate and of the Assembly.

CHAPTER 53

Senate Concurrent Resolution No. 18—Relative to expenses of the Joint Interim Committee on Uniform Laws.

[Filed with Secretary of State April 5, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the sum of one thousand six hundred fifty dollars (\$1,650) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Senate and Assembly for the expenses of the Joint Interim Committee on Uniform Laws (created by Section 10401 of the Government Code), and its members and for any charges, expenses or claims it may lawfully incur, to be paid from said contingent funds equally and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 54

Senate Concurrent Resolution No. 22—Relative to a study of medical education needs.

[Filed with Secretary of State April 5, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the time for the completion of the study and development of a plan for the expansion of medical education in California during the next 10 years, re-

quired by Resolution Chapter 165 of the Statutes of 1961, and for the submission of the report thereon to the Legislature, is extended to the first Monday of February 1963; and be it further

Resolved, That two Members of the Senate appointed by the Senate Committee on Rules and two Members of the Assembly appointed by the Speaker shall participate in the activities of the several public and private entities engaged in the study and development of the plan to the extent that such participation is not incompatible with their respective positions as Members of the Legislature; and be it further

Resolved, That said Members of the Legislature constitute a joint interim investigating committee on the subject of medical education needs in California and the subject of Resolution Chapter 165 of the Statutes of 1961 and as such shall have the powers and duties imposed upon such committees by the Joint Rules of the Senate and Assembly; and be it further

Resolved, That the sum of two thousand dollars (\$2,000) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Senate and Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said contingent funds equally and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to all of the agencies concerned.

CHAPTER 55

Senate Concurrent Resolution No. 23—Relative to proposing the State of California as the site of the 1968 or 1972 Olympic Games.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, There is a vital need among the peoples of the world today for a common meeting ground of understanding and friendly relationships, and since the State of California has such a meaning to the world because of its many traditions, it is fitting that the 1968 or 1972 Olympic Games of the modern era be held in the great State of California; and

WHEREAS, The friendly spirit of the people of California in the field of athletics is such that the Olympic Games should be conducted jointly by the nine neighboring counties of the Bay area or in Greater Metropolitan Los Angeles; and

WHEREAS, Because of their wonderful stadiums and fields, use should be made of the facilities of the University of California at Berkeley, and Stanford University where Olympic trials in track and field have been held in the past with great

success or of the Los Angeles Memorial Coliseum where the successful 1932 Olympic Games were held; and

WHEREAS, Athletes of all countries around the globe would be welcomed to the "Golden State" of California to compete on the friendly field of amateur sports, unmindful of national rivalries, jealousies and differences of all kinds; and

WHEREAS, It would also be fitting and proper for California to lead a great cultural and spiritual revival to coincide with the Olympics in 1968 or 1972, and because too few people are aware that the Olympic Games stress not only athletic competition but cultural goals and achievements as well and it is the true Olympic spirit to achieve a perfect synthesis of sports and art; and

WHEREAS, The program for the Olympic Games usually includes the compulsory events—track, and field, gymnastics, boxing, fencing, shooting, wrestling, rowing, swimming, equestrian, modern pentathlon, cycling, weight lifting and yachting—and there are optional events such as soccer football, water polo, field hockey, basketball, canoeing and an exhibition of fine arts, as well as other sports; and

WHEREAS, It should be noted that under Olympic rules, no contestant may be disqualified on grounds of religion, color or politics and that the games must be completed within 16 days and no point score may be kept in the games, which are considered contests between teams and individuals, and not nations; and

WHEREAS, The selection of a site for the next Olympics is usually announced before the start of a new Olympic Games, and the regulation of the games is vested in the Comité Internationale Olympique, with headquarters at Mon Repos, Lausanne, Switzerland; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That it is requested that the Governor of the State of California, in collaboration with the boards of supervisors of the nine Bay area counties and Los Angeles County, establish a representative co-ordinating committee comprised of leading citizens to discuss the feasibility of inviting the Comité Internationale Olympique to select California as the site for the 1968 or 1972 Olympic Games; and be it further

Resolved, That this committee should be formed immediately to bring this goal to a realization, because the interest in the Olympic Games is continuous and the XVIIIth Olympiad has been awarded to Tokyo for 1964, and the IXth Winter Olympic Games is scheduled for Innsbruck, Austria, in 1964; and be it further

Resolved, That suitably prepared copies of this resolution be transmitted to the Governor and the boards of supervisors of Los Angeles, San Francisco, Alameda, Contra Costa, San Mateo, Santa Clara, Marin, Sonoma, Solano and Napa Counties.

CHAPTER 56

Senate Concurrent Resolution No. 26—Relative to the consideration of conduits for educational television in connection with planned school and college building construction.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, Television is becoming an increasingly important and useful tool at all levels in the field of education and is proving to be a most effective means of imparting instruction in many different courses of study; and

WHEREAS, Great increases in school and college enrollments coupled with the demands placed upon the educational system in this space age for expansion in the scope of curricula and content of courses of instruction, are giving rise to shortages of trained teaching personnel in many fields, and makes it imperative that the most careful attention be given to the full utilization of educational television in all school and college expansion planning; and

WHEREAS, It is becoming particularly apparent that there will be a shortage of trained teachers necessary for purposes of the foreign language course requirements prescribed for the elementary schools by the Legislature at its 1961 Regular Session, and that this highly important program can better be utilized by use of educational television; and

WHEREAS, It has come to the attention of the Legislature that too often in the planning of school building construction or alteration too little consideration is given to the installation of conduits for educational television, with the consequence that its installation subsequent to completion of construction or alteration can be effected only at greatly disproportionate expense; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the governing board of any public school district in the State, the trustees of the California State Colleges and the State Allocation Board are requested to consider the need for inclusion of television conduits in all public works facilities when the use of instructional television units may be needed in such facilities in the future, and to adopt a policy regarding whether television conduits should be included in such projects; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Superintendent of Public Instruction, the Trustees of the State Colleges, and the State Allocation Board; and be it further

Resolved, That the Superintendent of Public Instruction be directed to inform the governing boards of all school districts in the State of the adoption of this resolution and the substance thereof.

CHAPTER 57

Senate Concurrent Resolution No. 28—Relating to enforcement of Section 21654 of the Vehicle Code.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The Legislature of the State of California has previously expressed its desires relative to slow moving vehicles on the highways by enacting Section 21654 of the Vehicle Code, which clearly requires that the slower moving vehicles, proceeding upon a highway at any particular time, must be driven in the right-hand lane, except when overtaking and passing another vehicle or when preparing to make a left turn; and

WHEREAS, The failure to observe this requirement results in traffic congestion, changing and rechanging lanes, overtaking and passing on the right which is not preferred, following too closely and driver irritation and impatience which does not contribute to a safe, smooth and rapid flow of traffic; and

WHEREAS, The failure to observe this requirement constitutes a major contribution to the high death toll and ever increasing accident rate; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Commissioner of the California Highway Patrol is hereby directed to take all steps necessary to ensure that the provisions of Section 21654 of the Vehicle Code are diligently enforced; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the Commissioner of the California Highway Patrol.

CHAPTER 58*Senate Concurrent Resolution No. 29—Relating to school textbooks.*

[Filed with Secretary of State April 5, 1962.]

WHEREAS, One of the most essential lessons that American youth should learn is that we are a nation built upon the magnificent contributions of men and women of diverse racial, ethnic, and religious backgrounds; and

WHEREAS, In the absence of this understanding our children fail to comprehend that our greatness as a nation is rooted in a recognition of individual God-given human dignity, in an appreciation and respect for the cultural heritage of the many peoples that constitute the American nation, in an awareness that the various racial groups in our society have each equally contributed men and women of worth to our nation who have suffered and died to build a sound democracy, and that each now seeks a life of dignity and achievement within the highest

American tradition of individual freedom and aspiration; and

WHEREAS, Many school districts in California find their earnest efforts to achieve this essential educational goal made more difficult because textbook publishers fail adequately to portray the contribution of such groups as the American Negro, the Latin American, and the Oriental American to the growth of American democracy, and, further, often fail to depict in illustrations any minority group Americans in normal settings, thus giving rise to stereotypes that are equally harmful to the proper education of children of the majority and the minority groups; and

WHEREAS, Just treatment, equality of opportunity and mutual understanding among the racial, ethnic and religious groups within our society is absolutely essential to the future of California; and

WHEREAS, The Curriculum Commission is doing a conscientious job in selecting the best textbooks from those currently available, but it is felt that a thorough study of the treatment of minorities in textbooks would help to focus upon any shortcomings now existing in this regard and bring about effective remedial steps to correct such shortcomings; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Department of Education is directed to undertake appropriate studies so that the textbooks in use in our State give due regard to sound inter-group relations; and be it further

Resolved, That the State Department of Education is directed to undertake appropriate steps to convey to textbook publishers the Legislature's concern that children in California achieve an education suitable in a democratic society composed of peoples of diverse racial, ethnic, and religious identities, and report back to the Legislature at the 1963 General Session what steps have been taken to accomplish this; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of the State Department of Education.

CHAPTER 59

Senate Joint Resolution No. 3—Relative to the construction of Hidden Dam and Reservoir on the Fresno River.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, Severe winter rainstorms have once again caused a serious flood condition along the Fresno River, inundating thousands of acres of farmland; and

WHEREAS, These floods have caused damage to farmlands, crops, buildings, equipment, and livestock, and have endangered human life; and

WHEREAS, The flooding conditions caused by the Fresno River bursting its banks have resulted in a waste of water during a time when California is suffering from a critical water shortage; and

WHEREAS, In prior years the Chowchilla and Fresno Rivers have repeatedly caused extensive and increasing flood damage in Madera County, California, and it was estimated that over two million dollars in damage to property was done in Madera County by floodwaters in December, 1955; and

WHEREAS, The California Legislature in 1956 took cognizance of the urgent need for flood control projects along the Fresno River and requested the President and the Congress of the United States to enact the necessary legislation; and

WHEREAS, Twice the Congress has passed bills authorizing the construction of the Hidden Dam project, only to be vetoed both times by President Eisenhower; and

WHEREAS, Representatives of the Corps of Engineers of the United States Army have testified that these flood control projects have been carefully studied and that they are economically sound and feasible; and

WHEREAS, The Corps of Engineers has recently recommended the construction of a multiple-purpose dam and reservoir at the Hidden site on the Fresno River for flood control and other purposes; and

WHEREAS, The recent floods have once again demonstrated the urgent need for flood control facilities on the Fresno River; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation necessary to authorize and otherwise implement the immediate construction of Hidden Dam and Reservoir on the Fresno River for the control and conservation of the floodwaters of the river and its tributaries; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Chairmen of the Senate and House Committees on Public Works, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 60

Senate Joint Resolution No. 4—Relative to the purchase of the United Nations Bonds.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The United Nations maintains armed forces in the Gaza Strip and in the Congo, the costs of which have caused a financial crisis for the world organization; and

WHEREAS, In an effort to solve this critical problem the 16th General Assembly of the United Nations has authorized the Secretary General to issue 200 million dollars worth of bonds, which are to be payable in 25 years at 2 percent interest; and

WHEREAS, The United States government proposes to buy half of these bonds; and

WHEREAS, It is to the self-interest of the American people to help the United Nations overcome its present financial difficulties for if the United Nations does not have the money to fulfill its emergency responsibilities in preventing war it will become simply a conference mechanism to secure coexistence between two ideological blocs rather than an independent organization capable of meeting the problems of the world; and

WHEREAS, Further, as expressed by the President in his State of the Union Message in 1962, the bond issue will not only keep the United Nations solvent, but will also require all voting members to pay their fair share of its activities; and since our share of special operations has long been much higher than our share of the annual assessment, the bond issue will in effect reduce our disproportionate obligation; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to authorize the purchase by the government of the United States of up to one hundred million dollars worth of said United Nations bonds; and be it further

Resolved, That the Secretary of the Senate is directed to prepare and transmit copies of this resolution to all Members of Congress from this State, to the Speaker of the House of Representatives, to the Vice President of the United States in his capacity as presiding officer of the Senate, and to the President of the United States.

CHAPTER 61

Senate Joint Resolution No. 5—Relative to a minimum wage law for agricultural workers.

[Filed with Secretary of State April 5, 1962]

WHEREAS, Agricultural workers and farmers have always formed a large part of the bedrock upon which our country rests; and

WHEREAS, Our nation is engaged in a great struggle against communism and the forces of despotism, ignorance and poverty, and without a strong, healthy farm economy, we cannot fulfill our obligations as the citadel of the free world in this great struggle; and

WHEREAS, The health and welfare of this country and the free world depends, therefore, in great part upon the products of our farms, and without adequate numbers of experienced and trained agricultural workers, these farm products cannot be grown, harvested and prepared for sale and consumption; and

WHEREAS, For many years agricultural workers in numerous areas of the United States have not received an adequate share of the results of their labors and, too often, have had to live out their lives on an extremely low annual wage as compared with other workers; and

WHEREAS, The farmers of California must compete in the sale of farm products with farmers of other states who pay less wages to their farmworkers than those paid in California and the West and in addition enjoy a more favorable freight rate, thus putting California and western agriculture at a tremendous disadvantage in the highly competitive national market for farm products, and

WHEREAS, Legislation, such as Senate Bill 2642, has been prepared which would enact a national minimum wage law to establish agricultural wages throughout the country and result in an incalculable benefit to our agricultural workers, our nation and the world; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact a national minimum wage law for the agricultural workers of the nation; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to the President and Vice President of the United States, the Secretary of Agriculture, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 62

Senate Joint Resolution No. 6—Relative to Sacramento River bank protection.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, A great urgency exists to protect the banks of the Sacramento River; and

WHEREAS, The heavy winter rains have heightened this severe problem; and

WHEREAS, The urgent need for action in this area is typified by the failure of the Merritt Island levee; and

WHEREAS, The Act of Congress, Public Law 86-645, 86th Congress, approved July 14, 1960, contemplates federal and state co-operation in carrying out the project for flood pro-

tection on the Sacramento River, with two-thirds of the cost to be borne by the United States and one-third by the State; and

WHEREAS, In recognition of the urgent need for action the California Legislature has included in the Budget Act of 1962 an appropriation of two hundred seventy thousand dollars (\$270,000) for Sacramento River bank protection, which sum represents the State's share of the total cost for the 1962-63 fiscal year; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to appropriate the federal share of the funds required in the 1962-63 fiscal year for the protection of the Sacramento River banks to meet the emergency situation which exists along those banks; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 63

Senate Joint Resolution No. 7—Relative to the conveyance of a portion of Angel Island in San Francisco Bay to the State of California.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, Angel Island in San Francisco Bay is, with the exception of three small Coast Guard installations thereon, no longer being used by the federal government and is proposed to be disposed of by the Bureau of Land Management of the Department of the Interior; and

WHEREAS, Angel Island is rich in historical background, being the spot of the first landing of a ship in San Francisco Bay by Don Juan deAyala in 1775, and its development as an historical monument would be in the interest of both the national and state governments; and

WHEREAS, In connection with its development as an historic monument, Angel Island could be developed by the State to provide outstanding recreational benefits to the people of this State and visitors from all parts of the world; and

WHEREAS, A portion of Angel Island has already been conveyed to the State and is being operated as a state park, so that the conveyance of the remainder of the island (with the exception of the area occupied by the three Coast Guard installations) to the State for historic monument purposes would enable the State to provide for the planning and development of the entire island in the manner which will be the most bene-

ficial to the people of the State of California and of the United States; and

WHEREAS, The federal law authorizes the Secretary of the Interior to convey public lands to a State, without cost, for use for historic monument purposes; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Secretary of the Interior to convey to the State of California, without cost, the portion of Angel Island in San Francisco Bay referred to in this resolution for development by the State for historic monument and recreational purposes; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 64

Senate Joint Resolution No. 9—Relative to ratifying the 15th Amendment to the Constitution of the United States.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, The 15th Amendment to the Constitution of the United States was proposed to the Legislatures of the States of the United States by the 40th Congress on the 26th day of February, 1869; and

WHEREAS, The said 15th Amendment was declared to have been ratified in a proclamation by the Secretary of State on the 30th day of March, 1870, and thus became a constitutional provision; and

WHEREAS, The objective of this amendment was to forbid depriving Negroes of their voting rights on the basis of race or previous condition of slavery; and

WHEREAS, The Legislature of the State of California has not heretofore ratified said amendment; and

WHEREAS, The said 15th Amendment has long been a vital part of the Constitution of the United States and should be ratified by the State of California to show the concurrence of this great State with the principles therein enunciated; and

WHEREAS, The said 15th Amendment to the Constitution of the United States provides as follows:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, a majority of all the members elected to each house of said Legislature voting in favor thereof, That the said 15th Amendment to the Constitution of the United States be and the same is hereby ratified by the Legislature of the State of California; and be it further

Resolved, That certified copies of the foregoing preamble and resolution be forwarded by the Governor of the State of California to the President of the United States, the Secretary of State of the United States, the President pro Tempore of the Senate of the United States and the Speaker of the House of Representatives of the United States.

CHAPTER 65

Senate Joint Resolution No. 10—Relating to the illegal traffic in narcotics.

[Filed with Secretary of State April 5, 1962]

WHEREAS, Illegal traffic in, and use of, narcotics has increased from year to year, particularly in California; and

WHEREAS, Narcotics are a serious menace to the health and well-being of the citizens of California and of the United States; and

WHEREAS, Illegal traffic in, and use of, narcotics is a primary cause of crime in California and the United States; and

WHEREAS, Illegal traffic in, and use of, narcotics is a cause of much juvenile delinquency in California and the United States; and

WHEREAS, Illegal traffic in, and use of, narcotics weakens the moral fiber of our children and threatens the future of our State and nation; and

WHEREAS, The primary sources of the illegal narcotics traffic are outside of California and the United States; and

WHEREAS, This illegal traffic in depravity must be stopped: now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes and urges the President and the Congress of the United States, and the United States Department of State, to take whatever steps are necessary to induce nations, which are the source of the illegal traffic in narcotics, to increase their efforts and to stop such flow of narcotics from their nation to ours; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to the President, the Vice President, the United States Secretary of State, the Speaker of the House of Representatives and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 66

Senate Joint Resolution No. 11—Relative to amending the 16th Amendment.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, Amendment 10 of the Constitution of the United States provides that powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states, respectively, or to the people; and

WHEREAS, Amendment 16 of the Constitution of the United States provides that Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration; and

WHEREAS, All interest upon bonds and other obligations of states, territories and possessions of the United States and of political subdivisions thereof is, under present statutes, regulations and court decisions, exempt from federal income taxes and, as a consequence of such exemption, such obligations sell at substantially lower interest rates than if such exemption were not available, thereby effecting substantial savings in interest costs to the respective issuers of such obligations and to the taxpayers of such issuers; and

WHEREAS, Frequent attacks on the tax immunity of bonds and other obligation of states, territories and possessions of the United States and of political subdivisions thereof endangers their essential governmental functions and threatens an untenable increase in the cost of financing needed public works projects, including vitally needed public schools and other state and local governmental needs; and

WHEREAS, It is imperative to the continued financial well-being of all such issuers that such exemption be permanently established and continued as to all such obligations now outstanding or hereafter issued, so that needed public improvements of said respective issuers may be financed at the lowest possible cost to said issuers and their taxpayers; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to adopt an amendment to Amendment 16 of the Constitution of the United States to exempt from taxes on income on which the Congress has power to lay and collect taxes, all interest upon the obligations of any state, territory or possession of the United States, or any political subdivision of any thereof which is a municipal corporation or to which has been delegated the right to exercise part of the sovereign power of such state, territory or possession, or the District of Columbia; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President

and Vice President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States and to each Governor of these United States.

CHAPTER 67

Senate Concurrent Resolution No. 8—Relating to numbering and naming highways, freeways and expressways within state highway system.

[Filed with Secretary of State April 9, 1962.]

WHEREAS, The enactment of the California freeway and expressway system by the Legislature in 1959 has accelerated and assured the development of highway facilities which are necessary to serve the increasing needs of the motoring public and other highway users, and this development, in turn, contributes to the welfare and economy of the entire State; and

WHEREAS, This project incorporates over 12,000 miles of freeways and expressways into a system whose principal objective is to provide maximum safe, economical and convenient transportation for the movement of people and goods throughout the State; and

WHEREAS, The numbering and naming of all state highways, freeways and expressways play an important part in providing a safe and convenient highway transportation network; and

WHEREAS, State highways, freeways and expressways are presently being numbered, named and otherwise designated in a manner resulting in duplication, designations not relating to logical termini, unsuitable designations and the changing of well-established names, all of which tends to confuse rather than assist the users of such facilities; and

WHEREAS, This situation may well have come about because of the lack of designated responsibility for the naming of such highway facilities; and

WHEREAS, The development of an adequate plan for the best use of numbers and names in the designation of highways by means of signs will further implement the furnishing of a safe, convenient and economical highway network for the comfort and convenience of the motoring public and at the same time will substantially reduce costs incurred in changing signs from time to time; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, As follows:

1. The Department of Public Works is requested to undertake a study into the matter of naming highways, freeways and expressways in California, such study to include the establish-

ment of criteria, procedures, and methods for such designations, the advisability of a statewide plan and the advisability of designating responsibility for the naming of highways, free-ways and expressways throughout the State.

2. The Department of Public Works is further requested to undertake a study of the feasibility of renumbering the state highway system, such study to include the elimination or reduction of the use of multiple numbers on highways, and, if such is found to be feasible, to develop a progress report on a plan and methods therefor by September 15, 1962, and a final report on such plan and methods by December 15, 1962, which reports shall be submitted to the appropriate interim committee or committees designated pursuant to paragraph 7 below.

3. The Department of Public Works is requested to consult with the California Highway Commission in making the study referred to in paragraph 1 hereof and to secure the services of any organization it deems advisable, from time to time, while making these studies.

4. The Department of Public Works is requested to defray the cost of these studies from moneys available in the State Highway Fund.

5. Agencies of the state government and cities, counties, and other local agencies are requested to co-operate with the Department of Public Works in the conduct of these studies.

6. The President pro Tempore of the Senate and the Speaker of the Assembly are directed jointly to appoint an advisory committee of 10 members to consist of representatives of cities and counties, motorists, business, and industry to assist the Department of Public Works in the study described in paragraph 1 above, and the department is requested to co-operate and confer with the committee members so appointed.

7. The Speaker of the Assembly and the President pro Tempore of the Senate shall refer the subject matter of this resolution to the appropriate joint interim committee which may deal with highway transportation problems if such committee is created at this session of the Legislature, or if no such committee is created, then the subject matter shall be referred to the appropriate interim committee of each of the respective houses by the Speaker and the President pro Tempore respectively.

8. The Department of Public Works is requested to report from time to time on the progress of its studies to the appropriate interim committee or committees as designated under the provisions of the last preceding paragraph, and except as provided in paragraph 2 above, to submit its final report on the subject matter of this resolution to the appropriate committee or committees not later than September 15, 1962; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Department of Public Works.

CHAPTER 68

Senate Joint Resolution No. 12—Relative to supplemental air carriers.

[Filed with Secretary of State April 9, 1962]

WHEREAS, Official accident statistics of the Civil Aeronautics Board, as set forth at page VII-29 of the 1961 edition of the Board's Handbook of Airline Statistics, show that for the entire 12-year period 1949 through 1960 the accident rate of the supplemental air carriers has been consistently and substantially higher than that of the certified route carriers, whether measured by total accidents or by fatal accidents per million miles flown; and

WHEREAS, In recent months the Chairman of the Civil Aeronautics Board, the Administrator of the Federal Aviation Agency, and other responsible and knowledgeable public officials are reported to have testified and admitted publicly that the inadequate financial resources of many supplemental air carriers are conducive to substandard maintenance and operating practices and to inadequate safety measures, to the danger of the public; and

WHEREAS, The adverse consequences to the public of operations by financially irresponsible supplemental air carriers are not limited to death and physical injury, but often encompass financial loss and severe personal hardship, as witness the stranding of 103 members of the Erin's Own Club of Chicago, Illinois for six days at the Shannon, Ireland, Airport in October, 1961, because the supplemental air carrier was unable to meet its bills and pay for gasoline for the return flight to Chicago; and the stranding in London of 88 members of the British American Club of Los Angeles in October, 1961, who chartered an airplane from a supplemental air carrier; and

WHEREAS, For the past 15 years the Civil Aeronautics Board, in repeated enforcement proceedings, has proved to be incapable of enforcing the frequency limitations and regulations of supplemental air carriers as evidenced by those decisions and by the testimony of the Chairman of the Civil Aeronautics Board before the Hardy House Subcommittee investigations; and

WHEREAS, There is now pending before the Congress of the United States of America legislation to amend the Federal Aviation Act of 1958 to provide for the licensing of supplemental air carriers; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States of America to incorporate into said pending legislation, or otherwise to provide by any necessary and appropriate legislation, such stringent standards of fitness, and such powers for and directives to the Civil Aeronautics Board and the Federal Aviation Agency, as will ensure that no supplemental air

carrier will hereafter be authorized to operate unless it has adequate financial resources, adequately skilled personnel, and competent management, so that its operations will be conducted lawfully and with the highest standards of operations, engineering and maintenance and of responsibility to the public; and be it further

Resolved, That the Legislature of the State of California hereby memorializes the Civil Aeronautics Board and the Federal Aviation Agency to utilize all their lawful powers to eradicate from the supplemental air carrier industry companies and managerial personnel who lack the financial resources, fitness, willingness, ability, or other qualifications, to conduct their business lawfully and with the highest standards of operations, engineering, maintenance and responsibility to the public; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Civil Aeronautics Board, and to the Federal Aviation Agency.

CHAPTER 69

Assembly Concurrent Resolution No. 4—Relative to a study of master plans for school district unification.

[Filed with Secretary of State April 9, 1962]

WHEREAS, A state law, enacted in 1959, requires each county committee on school district organization to prepare a county master plan for the inclusion of all territory in the county in unified districts and requires that the master plans be submitted to the State Board of Education for approval on or before September 15, 1963; and

WHEREAS, At the 1961 Regular Session, both the Senate and the Assembly adopted Senate Bill No. 1162, which would have extended the date for submission of the master plans from September 15, 1963 to September 15, 1967; and

WHEREAS, There is a need for a study of the effects of the failure to extend the date for the submission of the master plans for the formation of unified districts; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Rules Committee of the Senate and the Rules Committee of the Assembly, respectively, assign the subject of the effects of the failure to extend the submission date of the county master plans to an appropriate committee of the Senate and to an appropriate interim committee of the Assembly, respectively, for study and report and

direct the committee and the interim committee to report to the Senate and the Assembly on the fifth calendar day of the 1963 General Session.

CHAPTER 70

Assembly Concurrent Resolution No. 14—Relating to provisions by California cities for their identification from the air.

[Filed with Secretary of State April 9, 1962.]

WHEREAS, The number of private citizens piloting private noncommercial planes in California is increasing; and

WHEREAS, Such planes make the smaller cities and the scenic and rural areas in which they are located more accessible, which benefits business in those cities; and

WHEREAS, This mutual benefit could be increased if measures could be taken which would enable pilots to identify from the air the communities over which they are flying; and

WHEREAS, Instantaneous visual identification of cities from the air would constitute an excellent navigational aid and would serve to better flight safety; and

WHEREAS, A highly efficient method of providing such identification would be to paint the name of the city upon the rooftop of the local airport hangar, or upon the landing strip, or if neither exists, upon some other building or place; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the legislative bodies of all cities are requested to co-operate in providing such identification; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the mayor or legislative body of each city in California.

CHAPTER 71

Assembly Concurrent Resolution No. 26—Relative to the Joint Interim Committee on Investment of Public Retirement and Pension Funds.

[Filed with Secretary of State April 9, 1962.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available to it, the sum of twelve thousand dollars (\$12,000) or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Senate and Assembly for the payment of any and all expenses of

the Joint Interim Committee on Investment of Public Retirement and Pension Funds (created by Resolutions Chapter No. 269 of the Statutes of 1961) and its members and for any charges, expenses, or claims it may incur, to be paid equally from said contingent funds and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and be it further

Resolved, That there shall be appointed to membership on the committee two additional Members of the Assembly appointed by the Speaker and two additional Members of the Senate appointed by the Senate Committee on Rules.

CHAPTER 72

Assembly Concurrent Resolution No. 33—Relative to the death of Judge Edward Smith.

[Filed with Secretary of State April 9, 1962]

WHEREAS, The Members of the Legislature learned with deep sorrow of the death of Judge Edward J. Smith, a former Member of the Assembly; and

WHEREAS, Judge Smith was born in San Francisco in 1894 and moved in 1906 with his parents to Oakland, where he attended public schools, and where in 1917 he was admitted to the bar; and

WHEREAS, He faithfully served Alameda County and this great State as a Member of the Assembly for three terms and as an Oakland Port Commissioner for six years; and

WHEREAS, During the six years of his able service in the California Legislature, he won the esteem and respect of all who knew him for his devoted attention to the duties of his office; and

WHEREAS, In 1945 he was appointed to the Oakland Police Court, which in 1947 was reorganized with his adept assistance into the municipal court; and

WHEREAS, Judge Smith during his 16 years on the bench pioneered a number of improvements in the municipal court, among which was the establishment of a separate traffic court; and

WHEREAS, In 1951 he became a member of the Judicial Council, serving as chairman of the committee on municipal court rules and administration of traffic courts divisions at the municipal and justice court levels; and

WHEREAS, The learned Judge Smith impartially dispensed justice in his courtroom with dignity, wisdom and courage; and

WHEREAS, He was also prominent in civic and fraternal affairs, being a member of the Aahmes Temple of the Shrine,

the Oakland Elks, past state president of the Eagles, past patron of the Eastern Star, past president of the Brooklyn Lodge, Native Sons, and past consular commander of the Fruitvale Camp, Woodmen of the World; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring. That the Members of the Legislature are grieved to learn of the passing of their former fellow member, and desire by this resolution to convey to his widow, Mrs. Elvera Smith, and the other members of his family, their deepest sympathy; and be it further

Resolved, That the Chief Clerk of the Assembly, is directed to transmit suitably prepared copies of this resolution to Judge Smith's widow, Mrs. Elvera Smith; to his two daughters, Mrs. Patricia Ramsey and Mrs. Gladys Garcia; and to his son, Edward F. Smith.

CHAPTER 73

Assembly Concurrent Resolution No. 36—Memorializing John R. Worthington.

[Filed with Secretary of State April 9, 1962.]

WHEREAS, The Members of the Legislature of the State of California are greatly saddened to learn of the recent death of John R. Worthington, general manager of the Alameda-Contra Costa Transit District and a distinguished citizen of this State who devoted his life to bettering our transportation facilities; and

WHEREAS, John Worthington's career as one of our nation's leading transit executives began 45 years ago in 1917 when he was first employed by the Southern Pacific as a messenger, and included service as general superintendent of the entire bus and rail passenger operation of the Pacific Electric Railway in Los Angeles where he successfully managed a rehabilitation of that company's operations in the late 1930's to meet the fast-growing competition of the private auto; and

WHEREAS, He thereafter associated himself with the Key System Transit Lines where he served the East Bay communities and gained a close familiarity with the detailed transportation problems of the area; and

WHEREAS, Mr. Worthington left the Key System Transit Lines in 1954 and organized the California Bus Association, representing 140 companies throughout California, and through this organization he gained firsthand knowledge of statewide transit matters and helped develop and strengthen the bus transportation facilities which are so vital to the continued growth of this State; and

WHEREAS, John Worthington became the Alameda-Contra Costa Transit District's first general manager in 1958 after serving the board of directors for several months as an engineering consultant and helped guide the district through

the critical period during which it began its operations; and

WHEREAS, It was under his management that a program of transit improvement was developed, a bond issue was adopted to finance the improvements, and the district began its operations in October, 1960, and grew to be one of our nation's outstanding transit systems, whose substantial growth of transit patronage has been achieved despite a continuing nationwide decline in transit use; and

WHEREAS, Mr. Worthington, in addition to his many contributions to the citizens of this State through his work with its transportation facilities, served our country in many matters of nationwide importance, including a federal study regarding the possible consolidation of the railroads into seven competitive systems; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature express their profound regret at the passing of John R. Worthington and express their deep sympathies to his widow, Mrs. Ethel Worthington; his two sons, John C. Worthington and William R. Worthington; his two daughters, Mrs. Robert McDonald and Mrs. Robert McEntire; and his nine grandchildren; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mrs. Ethel Worthington.

STATUTES OF CALIFORNIA

FIRST EXTRAORDINARY SESSION

1962

Began Wednesday, March 7, 1962, and Adjourned
Friday, April 13, 1962

PROCLAMATION BY THE GOVERNOR

CONVENING THE LEGISLATURE IN FIRST EXTRAORDINARY SESSION

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session, now, therefore,

I, EDMUND G. BROWN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the seventh day of March, 1962, at 10 a.m. of said day for the following purpose and to legislate upon the following subjects:

Item No. 1. To consider and act upon legislation relative to the issuance of bonds to provide capital outlay for construction or improvement of public schools.

Item No. 2. To consider and act upon legislation to authorize the issuance and sale of general obligation bonds for site acquisition, construction and equipment for state and junior college buildings.

Item No. 3. To consider and act upon legislation relative to the issuance of bonds to provide funds for the acquisition and development of sites for the California State Park System.

Item No. 4. To consider and act upon legislation relative to providing funds for the purchase of farms and homes under the Veterans Farm and Home Purchase Act.

Item No. 5. To consider and act upon legislation to increase the compensation of state officers and employees during the 1961-62 fiscal year.

Item No. 6. To consider and act upon legislation to amend Government Code Section 11570 relating to statutory salary adjustments.

Item No. 7. To consider and act upon legislation relative to calling a special election to be held June 5, 1962 and consolidated with the Direct Primary Election to be held on that date.

Item No. 8. To consider and act upon legislation to augment Item 283 of the Budget Act of 1961 relating to the Emergency Fund.

Item No. 9. To consider and act upon legislation relative to validating the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies.

Item No. 10. To consider and act upon legislation relative to the ratification of an agreement between this State and the United States government concerning the regulation of sources of ionizing radiation.

Item No. 11. To consider and act upon legislation relative to validation of employment of certificated public school personnel for the first fourteen days of September of 1961, during which period, for technical reasons, certification documents were not in force.

Item No. 12. To consider and act upon legislation relative to the bonded indebtedness of a unified school district required as a condition to apportionment of funds under the School Building Aid Law of 1952.

Item No. 13. To consider and act upon legislation relative to the powers of the Santa Clara County Flood Control and Water Conservation District.

Item No. 14. To consider and act upon legislation to create a Crestline-Lake Arrowhead Water Agency.

Item No. 15. To consider and act upon legislation to authorize a grant of state funds pursuant to the Davis-Grunsky Act to the Monterey County Flood Control and Water Conservation District in connection with the San Antonio Dam and Reservoir in Monterey County.

Item No. 16. To consider and act upon legislation relative to the issuance of bonds by the Costa Mesa County Water District.

Item No. 17. To consider and act upon legislation to amend the San Geronimo Pass Water Agency Law (Chapter 1435, Statutes of 1961) relative to (1) the boundaries of the Agency and (2) the levy of taxes for the 1962-1963 fiscal year.

Item No. 18. To consider and act upon legislation to authorize participation by the State in the Tacheva Creek Flood Control Project, pursuant to the State Water Resources Law of 1945

Item No. 19. To consider and act upon legislation to create an Upper Santa Clara Valley Water Agency in Los Angeles County.

Item No. 20. To consider and act upon legislation relative to the withdrawal of the property of the Senior Citizens Village in Antelope Valley in Los Angeles County from the Quartz Hill County Water District and its inclusion in Los Angeles County Waterworks District No. 4

Item No. 21. To consider and enact legislation relative to the levy of taxes by the Ventura County Flood Control District.

Item No. 22. To consider and act upon legislation to repeal or amend Sections 11131 and 11583 of, and Article 3 of Chapter 6 of Part 3 of Division 6 of the Water Code, and to amend Section 1402 of the Public Utilities Code, relating to the acquisition of property for state water projects.

Item No. 23. To consider and act upon legislation relative to amending Sections 3380 and 3386, inclusive, of the Health and Safety Code, relating to the immunization of pupils against poliomyelitis.

Item No. 24. To consider and act upon legislation to amend Chapter 1950 of the Statutes of 1961 relating to the exchange of state lands in the City of Oakland.

Item No. 25. To consider and act upon legislation to exclude mail carriers from the Highway Carriers' Act.

Item No. 26. To consider and act upon legislation to repeal Section 53065 of the Government Code, relating to fiscal matters regarding districts whose governing bodies are the county boards of supervisors or for which county fiscal officers are ex officio fiscal officers.

Item No. 27. To consider and act upon legislation relative to amending the California Restaurant Act to exempt therefrom the serving of food by nonprofit organizations

Item No. 28. To consider and act upon legislation to amend the University of California Dormitory Revenue Bond Act of 1947 to authorize the Regents of the University of California to issue revenue bonds to provide for hospitals, medical centers, and related facilities.

Item No. 29. To consider and act upon legislation to extend the operative effect of Section 4514 of the Business and Professions Code to July 1, 1965, relative to the licensing of psychiatric technicians.

Item No. 30. To consider and act upon legislation to dissolve the Benicia Reclamation District

Item No. 31. To consider and act upon legislation relative to the levy and collection of taxes by cities incorporated after February 1, 1961 and on or before May 1, 1961.

Item No. 32. To consider and act upon legislation relative to assets and paid-in capital of check sellers and cashers.

Item No. 33. To consider and act upon legislation relative to the issuance of electric system improvement bonds by municipal utility districts.

Item No. 34. To consider and act upon legislation relative to the withdrawal of counties from the San Francisco Bay Area Rapid Transit District

Item No. 35. To consider and act upon legislation relative to the permanent status of certificated school district employees in school districts with an average daily attendance of between 250 and 850 pupils.

Item No. 36. To consider and act upon legislation to change the name of the Sixth District Agricultural Association.

Item No. 37. To consider and act upon legislation relating to the eligibility of State Printing Plant employees, employees of the University of California, municipal court judges, and persons who retired from such employment or office, to participate in a health benefits plan under the Meyers-Geddes State Employees' Medical and Hospital Care Act.

Item No. 38. To consider and act upon legislation relative to the Judges' Retirement System

Item No. 39. To consider and act upon legislation to establish a port authority for San Diego harbor.

Item No. 40. To consider and act upon legislation to amend the grant of tide and submerged lands to the City of Berkeley.

Item No. 41. To consider and enact legislation relative to the issuance of licenses under the State Medical Practice Act and the Osteopathic Act.

Item No. 42. To consider and act upon legislation relative to the establishment of a study commission to study the problems of job training and skill development resulting from automation and other technological developments

Item No. 43. To consider and act upon legislation to authorize counties to use county prisoners in the prevention and suppression of fires

Item No. 44. To consider and act upon legislation to amend Chapter 2071 of the Statutes of 1959 relative to the transfer of certain State funds with respect to the loan made to the Golden Gate Bridge and Highway District

Item No. 45. To consider and act upon legislation relative to the acceptance of state jurisdiction over certain land of the United States Atomic Energy Commission located in Alameda County and the control of the University of California over such land.

Item No. 46. To consider and act upon legislation to reenact the Defense Production Act

Item No. 47. To consider and act upon legislation relative to the creation of additional state Senatorial districts.

Item No. 48. To consider and enact legislation relative to the membership and powers of the State Building Standards Commission.

Item No. 49. To consider and enact legislation relative to the regulation of poker.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixth day of March, 1962.

(SEAL)

EDMUND G. BROWN
Governor of California

ATTEST: FRANK M. JORDAN
Secretary of State

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, The Legislature of the State of California has been called in extraordinary session and has convened on March 7, 1962; and

WHEREAS, On account of extraordinary occasions which have arisen and now exist, it is deemed desirable and necessary to submit additional subjects to the Legislature for consideration; now, therefore,

I, EDMUND G. BROWN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated March 6, 1962, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subjects specified in the original Proclamation, to wit:

Item No. 50. To consider and act upon a Constitutional Amendment relative to permitting the private printing of state documents and materials

Item No. 51. To consider and act upon legislation relative to the selection of the State Printer and the State Architect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of March, 1962.

(SEAL)

EDMUND G. BROWN
Governor of California

[ATTEST] FRANK M. JORDAN
Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1962 FIRST EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

An act making an appropriation for the purpose of increasing salaries of state officers and employees, declaring the urgency thereof, to take effect immediately.

[Approved by Governor, March 31, 1962. Filed with
Secretary of State March 31, 1962.]

The people of the State of California do enact as follows:

SECTION 1. There is hereby appropriated the amount necessary to provide to employees in the state service the increase provided for in any increased salary range or rate established during the 1961-62 and 1962-63 fiscal years by the State Personnel Board or other salary-fixing authority, payable as provided in the following schedule:

(a) From the General Fund, the sum of eleven million three hundred ninety-five thousand eight hundred fifty-seven dollars (\$11,395,857) as a Salary Increase Fund to be allocated only on authorization by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, the Regents of the University of California, the Trustees of the California State Colleges, and other state agencies in augmentation of their respective appropriations for support or for other purposes provided that none of the moneys made available by this act shall be allocated to augment the salaries of any state officer whose salary is specified by statute or any state officer or employee who presently receives an annual salary in excess of fifteen thousand dollars (\$15,000), or who would receive an annual salary in excess of fifteen thousand dollars (\$15,000) by any proposed salary increase. The money available hereunder shall be allocated to provide for increases of salary and wages of each state officer and employee in the state services, whose compensation or a portion thereof is payable from the General Fund, in accordance with the compensation provided for in any increased salary range or rate established during the 1961-62 and 1962-63 fiscal years by the State Personnel Board or other salary-fixing authority.

(b) From each special fund from which state officers and employees are paid, an amount sufficient to provide increases in compensation for each such officer or employee, in accordance with this act, which amount is to be made available by

executive order of the Director of Finance in augmentation of their respective appropriations for support or other purposes.

SEC. 2. The purpose of this act is to provide increases in compensation for state officers and employees in accordance with this act and in the following manner:

(a) If this act becomes effective on or before April 1, 1962, sufficient funds shall be allocated to provide a five percent increase for three calendar months commencing April 1, 1962, and in addition, a one percent increase for 15 calendar months commencing April 1, 1962, or

(b) If this act becomes effective after April 1, 1962, sufficient funds shall be allocated to provide a five percent increase for two calendar months, commencing May 1, 1962, and in addition a 1.43 percent increase for 14 calendar months commencing May 1, 1962.

The funds appropriated for increases by this act for the 1962-63 fiscal year shall be in addition to any other increases authorized by law.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act provides funds necessary to provide adequate compensation to state officers and employees. The inevitable result of failure to provide such adequate compensation is the loss of trained, competent officers and employees to private industry and to governments other than the government of the State of California. Such loss of personnel seriously disturbs the functioning of the state government and jeopardizes the public peace, health or safety.

CHAPTER 2

An act to add Section 23313 to the Elections Code, relating to consolidation of elections with the Direct Primary Election, declaring the urgency thereof, to take effect immediately.

[Approved by Governor, March 31, 1962. Filed with
Secretary of State March 31, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 23313 is added to the Elections Code, to read:

23313. Notwithstanding the provisions of Sections 19593, 20804.3, and 21701.5 of the Education Code, where the precinct boundaries of a school district do not fully coincide with the boundaries of the precincts established for the direct primary election, any school district election governed by those sections shall be either partially or completely consolidated with the

direct primary election. Such partial or complete consolidation shall constitute full compliance with the requirements of Sections 19593, 20804.3, and 21701.5 of the Education Code.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Since some uncertainty exists under present law concerning the extent to which school district bond and tax elections can be consolidated with statewide elections, particularly in the situation where district precinct boundaries do not coincide with those for the statewide election; and because many school districts face the necessity of immediately raising funds through issuance of bonds or increases in maximum tax rates and are planning to conduct elections thereon together with the direct primary on June 5, 1962, it is essential that this act take immediate effect so that they may at once proceed to those ends.

CHAPTER 3

An act calling a special election to be consolidated with the direct primary election of 1962 and to provide for the submission to the electors of the State at such consolidated election of specified bond acts, to take effect immediately.

[Approved by Governor April 5, 1962. Filed with
Secretary of State April 5, 1962.]

The people of the State of California do enact as follows:

SECTION 1. A special election is hereby called to be held throughout the State on the fifth day of June, 1962. The special election shall be consolidated with the direct primary election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measures submitted pursuant to this act. A ballot pamphlet shall be prepared, compiled, and distributed relating to such measures. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 2. At the special election called by this act there shall be submitted to the electors Senate Constitutional Amendment No. 10 of the 1961 session, Section 1 of Assembly Bill Nos. 42 and 51 of the 1962 First Extraordinary Session and Section 1

of Senate Bill No. 2 and Sections 1 to 11, inclusive, of Senate Bill No. 31, of the 1962 First Extraordinary Session Notwithstanding any provisions to the contrary in such measures, all provisions of this act shall control the submission of such measures to, and the holding of, the special elections called by this act.

SEC. 3. Upon the effective date of this section, the author of the measure submitted pursuant to this act, except Senate Constitutional Amendment No. 10 of 1961, and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this section takes effect.

The arguments on Senate Constitutional Amendment No. 10 of 1961 shall be those on file in the office of the Secretary of State on the effective date of this act.

SEC. 4. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 5. Upon the effective date of this act the Secretary of State shall request the Attorney General to prepare a ballot title for the measures and shall also request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The title and analysis shall be filed with the Secretary of State within five days after the effective date of this act. The measures submitted pursuant to this act shall be designated on the ballots at the election by its ballot title.

SEC. 6. Notwithstanding the provisions of Section 10212 of the Elections Code, the bond acts submitted to the people pursuant to this act shall appear first in order on the ballot, and in the following sequence: (1) any act providing for the issuance of bonds to provide funds for school building construction; (2) any act providing for the issuance of bonds to provide funds for the acquisition of farms and homes for veterans; (3) any act providing for the issuance of bonds to provide funds for the construction of state buildings and other

facilities; and any other bond acts in the order determined by the Secretary of State.

SEC. 7. This act, inasmuch as it provides for the calling of an election, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

CHAPTER 4

An act to amend Section 53065 of the Government Code, relating to fiscal matters regarding districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 6, 1962. Filed with
Secretary of State April 6, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 53065 of the Government Code is amended to read:

53065. The provisions of law (except Section 25256 of this code) relating to budgets and other fiscal matters except borrowing which apply to counties shall also apply to any district, whose governing body is the board of supervisors or for which county fiscal officers are ex officio fiscal officers, except that this section shall not apply:

- (a) To school districts;
- (b) To districts including two or more counties;
- (c) Where such matters are otherwise provided by law.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Section 53065 of the Government Code as now written might prevent the sale and issuance of bonds previously authorized by the voters, and preclude the execution of contracts which would make possible the immediate construction of urgently needed public improvements for water and sanitation projects essential to the protection of the public health and safety.

This act would remove legal impediments which might otherwise prevent the sale and issuance of such bonds and the execution of contracts needed to finance the construction of various water, sanitation and other public projects which are otherwise ready to proceed. It is therefore imperative that this act take effect immediately.

CHAPTER 5

An act to amend Section 19553.1 of the Education Code, relating to unified school district bonded indebtedness requirements under the State School Building Aid Law of 1952.

[Approved by Governor April 6, 1962 Filed with
Secretary of State April 6, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 19553.1 of the Education Code is amended to read:

19553.1. With respect to applications filed on and after the effective date of this section by a unified district and any apportionments and repayments made under such applications, "grade level maintained by the district" means (1) the kindergarten, if any, and grades 1 to 12, inclusive, maintained by the district, or (2) grades 13 and 14 maintained by the district.

A unified district if otherwise eligible, may apply for and receive an apportionment for either one or both of such grade levels.

This section shall not apply to a unified district during the first three years following the effective date of this section, or during the first three fiscal years in which the district is in existence for all purposes, if the governing board of the district transmits to the board a written notice stating the district desires to be exempted from this section during such period.

CHAPTER 6

An act to amend Sections 13091, 13093, 13101, 13103, 13161 and 13174 of the Public Utilities Code and to repeal Section 13102 of the Public Utilities Code, relating to the issuance of electric system improvement bonds of municipal utility districts and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 6, 1962 Filed with
Secretary of State April 6, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 13091 of the Public Utilities Code is amended to read:

13091. A district may borrow money from time to time for the purpose of constructing, reconstructing, replacing, extending or improving its system for supplying the district and its inhabitants with electric energy, and may issue and sell bonds

to evidence the indebtedness created by such borrowing. No such money may be used:

(1) For constructing or improving works located outside the district boundaries which exist on the date this Chapter 6.5 is enacted.

(2) For acquiring any property owned by a public utility.

(3) For constructing or improving works for generating electricity.

(4) For constructing or improving works used, or to be used, in whole or in part either for the receipt, transmission and delivery of electric energy for any supplier of electric power or for the exchange of electric power with any person or entity. This provision shall not prevent the district from using such money for the purposes set forth in the initial sentence of this section.

Such bonds shall not be issued for a term in excess of 20 years after the date of such bonds; provided, that this sentence shall not limit the power of a district to refund such bonds.

SEC. 2. Section 13093 of said code is amended to read:

13093. Whenever a district exercises the power to borrow money pursuant to this chapter the board may authorize the issuance of bonds in any amount which, when added to the aggregate amount of bonds of the district issued under this chapter and outstanding at the time of the acceptance of a proposal for the purchase of the bonds so authorized and payable out of the revenues out of which the bonds so authorized are to be payable shall not exceed the amount of the earned surplus derived from the operation of the electric system to which those revenues pertain, as of the end of the last fiscal year which ended not less than four months prior to the making of the finding and determination provided for in Section 13161. The aggregate amount of bonds issued under this chapter shall not exceed in face value the sum of ten million dollars (\$10,000,000) in any one calendar year. The term "earned surplus" whenever used in this chapter means the excess of revenues from the inception of operation of the electric system over related expenses thereof, plus accumulated price-level depreciation, plus or minus any additional amounts credited to or charged against customers' equity employed in the business of the electric system, as determined in accordance with the then current accounting practice of the district. The term "accumulated price-level depreciation" as used in this section means the accumulated additional amounts by which depreciation based on the cost of depreciable property adjusted to reflect current price levels exceeds depreciation computed on cost.

SEC. 3. Section 13101 of said code is amended to read:

13101. Whenever a district proposes to exercise the power to borrow money, or to refund indebtedness, pursuant to this chapter, the board shall adopt a preliminary resolution de-

declaring its intention to authorize the issuance of bonds for such purpose, which resolution shall specify all of the following:

(1) The purpose for which the proposed bonds are to be issued.

(2) The maximum principal amount of the bonds proposed to be issued in the then current calendar year.

(3) The maximum term for which any of said bonds are to run.

(4) The maximum rate of interest to be payable upon such bonds.

(5) The maximum premium, if any, to be payable on the redemption of any such bonds.

Sec. 4. Section 13102 of said code is hereby repealed.

Sec. 5. Section 13103 of said code is amended to read:

13103. When bonds are issued under this chapter, the preliminary resolution of the board adopted pursuant to this article shall take effect upon its adoption by the board subject to the right of referendum herein provided for.

Sec. 6. Section 13161 of said code is amended to read:

13161. Prior to the issue of any bonds to be issued pursuant to this chapter, the board, after satisfying itself respecting the relevant facts, shall, by resolution, find and determine—

(1) The amount of earned surplus derived from the operation of the electric system of the district to which the revenues out of which such bonds are to be payable pertain, as of the end of the last fiscal year which ended not less than four months prior to the making of such finding and determination, and that the ascertainment of such earned surplus has been in accordance with the then current accounting practice of the district; provided, however, that such finding and determination need not be made in the case of the authorization of refunding bonds, or in any case where the voters have assented to the issuance of bonds in excess of the limitation specified in this chapter.

(2) The amount of bonds issued under this chapter which are outstanding at the time of the adoption of such resolution.

(3) That the resolution or resolutions authorizing such issue of bonds in all respects conforms or conform with the provisions of this chapter.

(4) That the indebtedness to be evidenced by such issue of bonds, together with all other indebtedness of the district, pertaining to the electric system for or on account of which such bonds are to be issued, is within every debt or other limit prescribed by the Constitution and statutes of the State of California.

(5) That upon the issuance of such bonds any and all acts, conditions and things required to exist, to happen and to be performed, precedent to and in the issuance thereof, will exist, will have happened and will have been performed, in due time, form and manner, as required by the Constitution and statutes of the State of California.

SEC. 7. Section 13174 of said code is amended to read:

13174. Money set aside and placed in any such separate fund shall remain therein until from time to time expended for the purposes for which such bonds were issued, including the reimbursement of other funds of the district for expenditures therefrom for purposes for which such bonds were issued, made after the adoption by the board of the preliminary resolution of intention provided for in Section 13101, and shall not be used for any other purpose whatsoever, except for temporary investment thereof as provided in this division; provided, however, that money may be paid or transferred from any such separate fund, in furtherance of the purpose of its establishment, to any other such separate fund established for a like purpose in connection with the same issue of bonds.

SEC. 8. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Sacramento Municipal Utility District proposes to issue ten million dollars (\$10,000,000) in revenue bonds in 1962 pursuant to the act to which this amendment applies. This financing is essential to the construction of needed electric distribution facilities in the Sacramento area beginning in early 1962. Additional electric distribution facilities are urgently required to meet the demands of increased population and to provide essential facilities for light, heat and power, particularly for homes and private families in the area now served by the district. The public health and safety of numerous families and the children thereof are dependent upon the immediate installation of such facilities. Technical phrases used in the original act must be clarified to accomplish such financing and without such clarification the district will be unable to install such additional facilities.

CHAPTER 7

An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1962 First Extraordinary Session of the Legislature, to take effect immediately.

[Approved by Governor April 6, 1962 Filed with
Secretary of State April 6, 1962]

The people of the State of California do enact as follows:

SECTION 1. The sum of twenty-three thousand dollars (\$23,000) is hereby appropriated out of the General Fund in the State Treasury for the payment of the expenses of the

Senate and Assembly necessarily incurred by them while attending the 1962 First Extraordinary Session of the Legislature in accordance with the following schedule:

- (a) For expenses of the Assembly, including expenses of Members of the Assembly necessarily incurred by them while attending the 1962 First Extraordinary Session of the Legislature \$15,000
- (b) For expenses of the Senate, including expenses of Members of the Senate necessarily incurred by them while attending the 1962 First Extraordinary Session of the Legislature----- 8,000

SEC. 2. This act, inasmuch as it makes an appropriation for the usual current expenditures of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

CHAPTER 8

An act to amend Section 29157 of, and to add Section 29650.1 to, the Public Utilities Code, and to add Section 54914 to the Government Code, relating to the San Francisco Bay Area Rapid Transit District, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 6, 1962 Filed with
Secretary of State April 6, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 29157 of the Public Utilities Code is amended to read:

29157. In the event a majority of any board of supervisors does not approve the reports, the district may make additional studies and changes and may refer the amended reports to the board of supervisors of the counties comprising the district in order to obtain unanimous approval from the counties comprising the district. If no agreement is reached within a period of six (6) months following the date the original reports were received from the board, any county not approving the reports may withdraw from the district under provisions of Chapter 10 of this part, notwithstanding that after such county's disapproval the reports are withdrawn by the district. Failure of a county to withdraw from the district within thirty (30) days following such six-month period shall have the same effect as approval by the board of supervisors of such county of the reports as last amended unless the reports have been previously withdrawn by the district.

SEC. 2. Section 29650.1 is added to said code, to read:

29650.1. In addition to the right of withdrawal of a county as provided in Section 29650, any county may withdraw from

the district at any time prior to the date of adoption by the board of a resolution calling a special election to submit to the qualified voters of the district a proposition of incurring a bonded indebtedness as provided in Section 29158, provided the board of directors of the district elects to accept for filing and approves a resolution of withdrawal adopted by the board of supervisors of the county seeking withdrawal.

SEC. 3. Section 54914 is added to the Government Code, to read:

54914. This chapter does not apply to any change in the boundaries of the San Francisco Bay Area Rapid Transit District, provided such change involves solely the withdrawal of one or more entire counties and is completed prior to the date the board of directors of such district fixes the rate of taxes for such district for the 1962-63 fiscal year, and provided further that the statement and map otherwise required by Sections 54900 and 54903.1 shall be filed by the district on or before the date such taxes are so fixed. The district shall file the statement and map required by Sections 54900 and 54903.1 within five (5) days after receipt by the said district of a resolution withdrawing a county from the district pursuant to Section 29650 of the Public Utilities Code as to any county's filing such resolution with the district prior to the fixing of the rate of taxes of said district for the 1962-1963 fiscal year.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The San Francisco Bay Area Rapid Transit District cannot submit to its voters a proposition for the issuance of general obligation bonds for the construction of a rapid transit system until it secures the unanimous approval of the boards of supervisors of counties comprising the district. It is necessary that this act take effect immediately in order that any county whose board of supervisors determines not to give such approval and to withdraw from the district with the consent of the district may immediately do so and thereby permit approval by the boards of supervisors of the remaining counties of reports involving service in those counties only. It is further necessary that this act take immediate effect insofar as it amends the Government Code in order to make clear that no county which withdraws prior to the fixing of 1962-63 district taxes will be subject to those taxes.

CHAPTER 9

An act to add Sections 19591.1 and 19591.2 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 3, 1962. Filed with
Secretary of State April 9, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 19591.1 is added to the Education Code, to read:

19591.1. Notwithstanding any provision of Section 19590 to the contrary, a final apportionment may be made to a district which did not, on the date a conditional apportionment was made, have outstanding bonds exceeding ninety-five percent (95%) of the maximum amount of bonds which it could have had outstanding under law, if all of the following conditions exist:

(a) The issuance of district bonds was authorized at an election in an amount which, if sold and added to outstanding district bonds, would have qualified the district for an apportionment if the conditional apportionment had been made after the election but prior to that equalized assessment of the county in which the district is located next succeeding the bond election.

(b) The conditional apportionment was made within 30 days after the equalized assessment of the county next succeeding the bond election and circumstances beyond the control of the district prevented the conditional apportionment from being made prior to such equalized assessment.

(c) As a result of such equalized assessment of the county the district would, under Section 19590, on the date of the conditional apportionment, be required to have outstanding bonds in an amount which does not exceed ten thousand one hundred dollars (\$10,100) more than would have been required had the conditional apportionment been made prior to such equalized assessment of the county next succeeding the district bond election.

(d) The district issues and sells prior to the date of the final apportionment district bonds authorized by the election referred to in subdivision (a) of this section and makes the proceeds of the bonds available for the purposes specified in the conditional apportionment.

Notwithstanding the terms of the conditional apportionment, a final apportionment shall be made to such district without the district being required to issue and sell bonds in the amount of the difference between the amount computed at the time of the conditional apportionment on the basis of the equalized assessment next succeeding the district election and the amount referred to in subdivision (a) of this section.

This section applies to any district holding a bond election on or after April 1, 1961, to qualify it for an apportionment and receiving a conditional apportionment on or after September 1, 1961.

SEC. 2. Section 19591.2 is added to said code, to read:

19591.2. Notwithstanding any provisions of Section 19590, if a district makes an application for an apportionment and because of twenty thousand dollars (\$20,000) in bonds retiring March 15, 1962, has outstanding bonds on April 14, 1962, of within seven thousand dollars (\$7,000) of 95 percent of its bonding capacity, the district shall be deemed qualified to receive an apportionment or apportionments under the application prior to the next equalized assessment of the county or counties in which the district is located without being required to issue and sell additional bonds, notwithstanding the retirement of any bonds of the district subsequent to the time of filing such application and prior to the time the board approves an apportionment or apportionments under the application.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Many school districts applying for state school district aid hold the necessary election to issue the district bonds necessary to meet the eligibility requirements of the law that the district have issued a certain amount of bonds and to obtain the approval of the voters to the acceptance of the state aid, prior to the time the conditional apportionment is made in order to expedite the processing of the district's application for aid. In the usual course of events the application of the district is processed and approved by the State Allocations Board on the basis of the same equalized assessment of the county which was in effect at the time of the district election. In some cases, however, the approval of the board is delayed, through circumstances beyond the control of the district, until after the new equalized assessment is in effect. At least one school district finds itself in the unfortunate predicament of having its bond requirements raised as a result of the delay in approval, with the amount of the increase in bonding requirements such that it makes the expense of a new bond election inadvisable and at a time when the district is in dire need of funds for school building construction and is otherwise eligible therefor in all respects. In order that the school districts in this situation may receive the loans to which they are otherwise entitled without further delay it is necessary that this act take effect immediately.

CHAPTER 10

An act to amend Sections 2 and 27 of the San Geronio Pass Water Agency Law (Chapter 1435 of the Statutes of 1961), relating to the boundaries and powers of the agency, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 9, 1962. Filed with Secretary of State April 9, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2 of the San Geronio Pass Water Agency Law (Chapter 1435 of the Statutes of 1961) is amended to read:

Sec. 2. The San Geronio Pass Water Agency, hereinafter referred to as the "agency," is hereby created, organized and incorporated and shall be managed as herein expressly provided and may exercise the powers herein expressly granted or necessarily implied, and may include contiguous or non-contiguous parcels of both unincorporated and incorporated territory, other than territory included in any public district having identity of purpose or substantially identity of purpose without the prior consent of such public district, evidenced by resolution duly adopted by the governing board thereof, and shall include all territory lying within the following described boundaries:

All that real property situate in the County of Riverside, State of California, more particularly described as follows:

Beginning at the northwest corner of Section 16, T. 2 S., R. 3 W., S.B.B. & M.;

Thence south on the west boundary of said Section 16 to the southwest corner thereof;

Thence east on the south boundary of said Section 16 to the southeast corner thereof;

Thence south on the west boundary of Section 22, said Township and Range, to the west quarter section corner thereof;

Thence east on the east and west quarter section line of said Section 22 to the east quarter section corner thereof;

Thence south on the east boundary of said Section 22 to the southeast corner thereof;

Thence east on the north boundary of Section 26, said Township and Range, to the northeast corner thereof;

Thence south on the west boundary of Section 25, said Township and Range, to the west quarter section corner thereof;

Thence east on the east and west quarter section line of said Section 25 to the east quarter section corner thereof;

Thence south on the range line between R. 2 W. and R. 3 W. to the southwest corner of Section 30, T. 2 S., R. 2 W., S.B.B. & M.;

Thence east on section lines 2 miles to the northeast corner of Section 32, said last mentioned Township and Range;

Thence south on the east boundary of said Section 32 to the west quarter section corner of Section 33, T. 2 S., R. 2 W.;

Thence east on the east and west quarter section line of said Section 33 to the east quarter section corner thereof;

Thence south on the east boundary of said Section 33 to the southeast corner thereof;

Thence east on the Township line between T. 2 S. and T. 3 S. to the northwest corner of Section 2, T. 3 S., R. 2 W., S.B.B. & M.;

Thence south on the west boundary of said Section 2 to the west quarter section corner thereof;

Thence east on the east and west quarter section line of said Section 2 to the east quarter section corner thereof;

Thence south on the east boundary of said Section 2 to the southeast corner thereof;

Thence east on the north boundary of Section 12, said last mentioned Township and Range, to the northeast corner thereof;

Thence south on the Range line between R. 1 W. and R. 2 W. to the west quarter section corner of Section 7, T. 3 S., R. 1 W., S.B.B. & M.;

Thence east on the east and west quarter section line of said Section 7 to the east quarter section corner thereof;

Thence south on the east boundary of said Section 7 to the southeast corner thereof;

Thence east on the north boundary of Section 17, said last mentioned Township and Range, to the northeast corner thereof;

Thence south on the east boundary of said Section 17 to the southeast corner thereof;

Thence east along section lines to the northeast corner of Section 24, said last mentioned Township and Range;

Thence south along the San Bernardino Meridian to the west quarter Section corner of Section 19, T. 3 S., R. 1 E., S.B.B. & M.;

Thence east on the east and west quarter section line of said Section 19 to the east quarter section corner thereof;

Thence south on the east boundary line of said Section 19 to the southeast corner thereof;

Thence east on the north boundary of Section 29, said last mentioned Township and Range, to the northeast corner thereof;

Thence south along section lines to the southwest corner of Section 4, T. 4 S., R. 1 E., S.B.B. & M.;

Thence east on the north boundary of Section 9 to the northeast corner thereof;

Thence south on the east line of said Section 9, to the northwest corner of Section 10, T. 4 S., R. 1 E., S.B.B. & M.;

Thence east on section lines 3 miles to the northeast corner of Section 12, T. 4 S., R. 1 E., S.B.B. & M.;

Thence south on the east line of said Section to the Southeast corner of said Section;

Thence east on section lines 4 miles to the southeast corner of Section 10, T. 4 S., R. 2 E., S.B.B. & M.;

Thence north on section lines 14 miles to a point on the northerly boundary of the County of Riverside at the northeast corner of Section 3, T. 2 S., R. 2 E., S.B.B. & M.;

Thence westerly, southerly and westerly on the northerly boundary of the County of Riverside to the point of beginning; and including that portion of the City of Cabazon comprising Section 23, Township 3 South, Range 2 East, San Bernardino Base and Meridian.

SEC. 2. Section 27 of said law is amended to read:

Sec. 27. The board of directors shall determine the amounts necessary to be raised by taxation during the fiscal year and shall fix the rate or rates of tax to be levied which will raise the amounts of money required by the agency, and within a reasonable time previous to the time when the board of supervisors is required by law to fix its tax rate, the board of directors shall certify to the board of supervisors the rate or rates so fixed and shall furnish to the board of supervisors a statement in writing containing the following: (a) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for the payment of the principal of an interest on any bonded debt of the agency or of an improvement district thereof as will become due before the proceeds of a tax levied at the next general tax levy will be available; (b) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for all other purposes of the agency. The board of directors shall direct that at the time and in the manner required by law for the levying of taxes for county purposes, such board of supervisors shall levy, in addition to such other tax as may be levied by such board of supervisors, at the rate or rates so fixed and determined by the board of directors, a tax upon the property within the agency, or improvement district thereof benefited by the bonded debt, as the case may be, and it is made the duty of the officer or body having authority to levy taxes within each county to levy the tax so required. Taxes for the payment of the interest on or principal of any bonded debts shall be levied on the property within the agency, or improvement district thereof, benefited by the bonded debt, as determined by the board of directors in the resolution declaring the necessity to incur the debt. Taxes for other purposes of the agency shall be levied on all property in the district or portion thereof subject to the particular tax. And it shall be the duty of all county officers charged with the duty of collecting taxes to collect such tax in time, form, and manner as county taxes are collected, and when collected to pay the same to the agency. Taxes for the payment of a bonded debt and the interest thereon shall be a lien on all the property benefited thereby as stated in the resolution of the board of directors declaring the necessity to incur the debt. All taxes for other purposes of the agency shall be a lien on

all the property in the agency subject to the respective tax. Agency taxes, whether for payment of a bonded indebtedness and the interest thereon or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

The agency is empowered, without complying with the provisions of Chapter 8 (commencing with Section 54900), Part 1, Division 2, Title 5 of the Government Code, to levy a tax for the fiscal year 1962-1963.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The services of the agency are vital to the welfare of the inhabitants of the agency and are necessary at the earliest possible time but they may not be properly exercised unless the agency is authorized to levy a tax as provided in this act and the boundaries of the agency are corrected as provided in this act.

CHAPTER 11

An act to amend Section 3511 of the Public Utilities Code, relating to highway carriers.

[Approved by Governor April 11, 1962 Filed with
Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3511 of the Public Utilities Code is amended to read:

3511. "Highway carrier" means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in transportation of property for compensation or hire as a business over any public highway in this State by means of a motor vehicle, except that "highway carrier" does not include:

(a) Carriers operating exclusively within the limits of a single city or city and county.

(b) Any farmer resident of this State who occasionally transports from the place of production to a warehouse, regular market, place of storage, or place of shipment the farm products of neighboring farmers in exchange for like services or for a cash consideration or farm products for compensation.

(c) Persons or corporations hauling their own property.

(d) Any farmer operating a motor vehicle used exclusively in the transportation of his livestock and agricultural commodities or in the transportation of supplies to his farm.

(e) Any nonprofit agricultural co-operative association organized and acting within the scope of its powers under Chapter 4, Division 6 of the Agricultural Code to the extent only that it is engaged in transporting its own property or the property of its members.

(f) Any person exclusively transporting United States mail pursuant to a contract with the United States government.

CHAPTER 12

An act to amend Section 3511 of the Public Utilities Code, relating to highway carriers.

[Approved by Governor April 11, 1962. Filed with Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3511 of the Public Utilities Code is amended to read:

3511. "Highway carrier" means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in transportation of property for compensation or hire as a business over any public highway in this State by means of a motor vehicle, except that "highway carrier" does not include:

(a) Carriers operating exclusively within the limits of a single city or city and county.

(b) Any farmer resident of this State who occasionally transports from the place of production to a warehouse, regular market, place of storage, or place of shipment the farm products of neighboring farmers in exchange for like services or for a cash consideration or farm products for compensation.

(c) Persons or corporations hauling their own property.

(d) Any farmer operating a motor vehicle used exclusively in the transportation of his livestock and agricultural commodities or in the transportation of supplies to his farm.

(e) Any nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division 6 of the Agricultural Code to the extent only that it is engaged in transporting its own property or the property of its members.

(f) Any person exclusively transporting United States mail pursuant to a contract with the United States government.

CHAPTER 13

An act to amend Section 4514 of the Business and Professions Code, relating to psychiatric technician.

[Approved by Governor April 11, 1962. Filed with Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 4514 of the Business and Professions Code is amended to read:

4514. Prior to July 1, 1963, any person meeting the requirements of subdivisions (a), (b), and (e) of Section 4511, and, as determined by the board, possessing the equivalent of the education and training requirements of that section, shall, on application, be issued a certificate.

CHAPTER 14

An act to add Section 13324.5 to the Education Code, relating to certificated employees of school districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 11, 1962. Filed with Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 13324.5 is added to the Education Code, to read:

13324.5. The amendments to Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320 and 13322 enacted by Chapter 1778 of the Statutes of 1961, shall not affect the permanent classification, or the credit toward permanent classification, acquired by any certificated employee prior to the effective date of that chapter. Such employee shall have the same status with respect to his classification by the district which employs him, including the right to credit for any time served as a probationary employee of the district, after such effective date as he had prior thereto.

Any employee of a district which, on the effective date of Chapter 1778 of the Statutes of 1961, had an average daily attendance of 250 or more but less than 850, who had not acquired permanent classification prior to such effective date and who was not entitled to such classification or credit toward such classification under the provisions of Section 13321, shall be required to serve three complete consecutive school years in a position or positions requiring certification qualifications, commencing with the school year 1961-1962, as a prerequisite to the mandatory attainment of permanent classification. Each school year for which the district was required

to employ the employee by reason of continuing contract offered pursuant to Section 13305 shall be counted as a part of this probationary period for purposes of mandatory permanent classification; provided that if the term of such continuing contract extends beyond this three-year probationary period, the employee shall not be entitled to mandatory permanent classification unless he is re-elected for the next succeeding school year.

The governing board of the district may count one or more complete consecutive school years of employment served prior to the school year 1961-1962 or served under a continuing contract issued pursuant to Section 13305, as a basis for the exercise of its discretionary power to grant permanent classification to such employee prior to the expiration of the probationary period for mandatory classification.

This section is declaratory of the intent and purpose of the Legislature in enacting Chapter 1778 of the Statutes of 1961.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

As a result of amendments to the mandatory teachers' tenure provisions of the Education Code enacted at the 1961 Regular Session of the Legislature uncertainty has arisen as to whether it is the intent of the Legislature that service rendered by an employee of a school district prior to the time the district becomes subject to such mandatory tenure provisions is to be counted in determining whether the employee has met requirements for attainment of permanent status. In order to clarify the intent of the Legislature in time to prevent confusion as to the status of employees and facilitate orderly operation of schools in the affected school districts in the 1962-63 school year it is necessary that this act take effect immediately.

CHAPTER 15

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

[Approved by Governor April 11, 1962 Filed with
Secretary of State April 12, 1962]

The people of the State of California do enact as follows:

SECTION 1. The following terms shall have the following meanings herein:

(a) The term "public body" means counties, cities and counties, cities, and the following districts, authorities, agencies, boards, commissions and other entities:

Agencies, boards, commissions or entities constituted or provided for under or pursuant to Chapter 5, Division 7, Title 1 of the Government Code

Air pollution control districts

Airport districts

Assessment districts

Bridge and highway districts

California water districts

Cemetery districts

Citrous pest control districts

City maintenance districts

Community service districts

Conservancy districts

County boards of education

County fire protection districts

County maintenance districts

County power pumping districts

County sanitation districts

County sewerage and water districts

County water agencies

County water authorities

County water districts

County waterworks districts

Drainage districts

Fire protection districts

Flood control and water conservation districts

Flood control districts

Garbage and refuse disposal districts

Garbage disposal districts

Harbor districts

Harbor improvement districts

Highway districts

Highway lighting districts

Horticultural protection districts

Horticultural development districts

Housing authorities

Improvement districts of municipal improvement districts

Irrigation district distribution districts

Irrigation district improvement districts

Irrigation districts

Joint harbor improvement districts

Joint highway districts

Joint municipal sewage disposal districts

Junior college districts

Levee districts

Library districts

Local health districts

Local hospital districts

Metropolitan water districts

Mosquito abatement districts
Municipal improvement districts
Municipal improvement assessment districts
Municipal port districts
Municipal sewer districts
Municipal utility districts
Municipal water district improvement districts
Municipal water districts of any kind
Parking authorities
Parking districts
Park, recreation and parkway districts
Permanent road divisions
Pest abatement districts
Port districts
Public cemetery districts
Public utility districts
Rapid transit districts
Reclamation districts
Recreational harbor districts
Recreation and park districts
Recreation, park and parkway districts
Redevelopment agencies
Regional park districts
River port districts
Resort improvement districts
Road districts
Sanitary districts
Sanitary districts annexed areas
School districts of any kind or class
Separation of grade districts
Sewer maintenance districts
Soil conservation districts
Special transit service districts
Storm water districts
Transit districts
Urban renewal agencies
Unified air pollution control districts
Vehicle parking districts
Veterans' memorial districts
Water authorities
Water conservation districts
Water districts
Water storage districts
Weed abatement districts
Zones of flood control districts
Zones of flood control and water conservation districts
Zones of county water agencies
Zones of county water authorities

The term "public body" and the plural thereof, as used in this act, shall include only those entities which are specifically enumerated in this section.

(b) The term "bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, and all instruments evidencing the borrowing of money in anticipation of taxes, revenues or other income of such body, and all instruments payable from revenues or special funds of such public bodies, and all instruments funding or refunding any thereof or any indebtedness.

SEC. 2. All public bodies heretofore organized or existing under, or under color of, any law are hereby declared to have been legally organized and to be legally functioning as such public body. Every such public body shall have all the rights, powers, and privileges, and be subject to all the duties and obligations of such a public body regularly formed pursuant to law.

SEC. 3. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

SEC. 4. All acts and proceedings heretofore taken by any public body under any law, or under color of any law, for the annexation or inclusion of territory into any such public body or for the annexation of any such public body to any other such public body or for the withdrawal or exclusion of territory from any such public body are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the annexation or inclusion or of the withdrawal or exclusion of such territory.

SEC. 5. All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for the authorization, issuance, sale, or exchange of bonds of any such public body for any public purpose are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the authorization, issuance, sale, or exchange of such bonds.

All bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of the public body.

SEC. 6. (a) The foregoing provisions of this act shall operate to supply such legislative authorization as may be necessary to validate any such acts and proceedings heretofore taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken.

(b) The foregoing provisions of this act shall be limited to the validation of acts and proceedings to the extent to which the same can be effectuated under the State and Federal Constitutions.

(c) The foregoing provisions of this act shall not operate to confirm, validate, or legalize any act, proceeding, or other matter the legality of which is being contested or inquired into in any legal proceeding now pending and undetermined or which may be pending and undetermined during the period of 30 days from and after the effective date of this act, and shall not operate to confirm, validate, or legalize any act, proceeding, or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective.

(d) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States.

SEC. 7. Any action or proceeding contesting the validity of any action or proceeding heretofore taken under any law, or under color of any law, for the formation, organization or incorporation of any public body, or for any annexation thereto, exclusion therefrom or other change of boundaries thereof, or for the authorization, issuance, sale or exchange of bonds thereof upon any ground involving an alleged defect or illegality not effectively validated by the prior provisions of this act and not otherwise barred by any statute of limitations or by laches must be commenced within six months of the effective date of this act; otherwise each and all of said matters shall be held to be valid and in every respect legal and incontestable. This subsection shall not extend the period in which any action may be brought beyond the period in which it would be barred by any presently existing valid statute of limitations.

SEC. 8. Nothing contained in this act shall be construed to render the creation of any city or district, or any change in the boundaries of any city or district, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Sections 54900 to 54904, inclusive, of the Government Code, is filed within the time and substantially in the manner required by said sections.

SEC. 9. As used in this act, the word "now" means the date this act takes effect; the word "heretofore" means any time prior to such effective date; and the word "hereafter" means any time subsequent to such effective date.

SEC. 10. This act may be cited as the Second Validating Act of 1962.

CHAPTER 16

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 11, 1962. Filed with
Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The following terms shall have the following meanings herein:

(a) The term "public body" means counties, cities and counties, cities, and the following districts, authorities, agencies, boards, commissions and other entities:

Agencies, boards, commissions or entities constituted or provided for under or pursuant to Chapter 5, Division 7, Title 1 of the Government Code

Air pollution control districts

Airport districts

Assessment districts

Bridge and highway districts

California water districts

Cemetery districts

Citrous pest control districts

City maintenance districts

Community service districts

Conservancy districts

County boards of education

County fire protection districts

County maintenance districts

County power pumping districts

County sanitation districts

County sewerage and water districts

County water agencies

County water authorities

County water districts

County waterworks districts

Drainage districts

Fire protection districts

Flood control and water conservation districts

Flood control districts

Garbage and refuse disposal districts

Garbage disposal districts

Harbor districts

Harbor improvement districts

Highway districts

Highway lighting districts

Horticultural protection districts

Horticultural development districts

Housing authorities
Improvement districts of municipal improvement districts
Irrigation district distribution districts
Irrigation district improvement districts
Irrigation districts
Joint harbor improvement districts
Joint highway districts
Joint municipal sewage disposal districts
Junior college districts
Levee districts
Library districts
Local health districts
Local hospital districts
Metropolitan water districts
Mosquito abatement districts
Municipal improvement districts
Municipal improvement assessment districts
Municipal port districts
Municipal sewer districts
Municipal utility districts
Municipal water district improvement districts
Municipal water districts of any kind
Parking authorities
Parking districts
Park, recreation and parkway districts
Permanent road divisions
Pest abatement districts
Port districts
Public cemetery districts
Public utility districts
Rapid transit districts
Reclamation districts
Recreational harbor districts
Recreation and park districts
Recreation, park and parkway districts
Redevelopment agencies
Regional park districts
Resort improvement districts
River port districts
Road districts
Sanitary districts
Sanitary districts annexed areas
School districts of any kind or class
Separation of grade districts
Sewer maintenance districts
Soil conservation districts
Special transit service districts
Storm water districts
Transit districts
Unified air pollution control districts
Urban renewal agencies
Vehicle parking districts

Veterans' memorial districts
Water authorities
Water conservation districts
Water districts
Water storage districts
Weed abatement districts
Zones of flood control districts
Zones of flood control and water conservation districts
Zones of county water agencies
Zones of county water authorities

The term "public body" and the plural thereof, as used in this act, shall include only those entities which are specifically enumerated in this section.

(b) The term "bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, and all instruments evidencing the borrowing of money in anticipation of taxes, revenues or other income of such body, and all instruments payable from revenues or special funds of such public bodies, and all instruments funding or refunding any thereof or any indebtedness.

SEC. 2. All public bodies heretofore organized or existing under, or under color of, any law are hereby declared to have been legally organized and to be legally functioning as such public body. Every such public body shall have all the rights, powers, and privileges, and be subject to all the duties and obligations of such a public body regularly formed pursuant to law.

SEC. 3. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

SEC. 4. All acts and proceedings heretofore taken by any public body under any law, or under color of any law, for the annexation or inclusion of territory into any such public body or for the annexation of any such public body to any other such public body or for the withdrawal or exclusion of territory from any such public body are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the annexation or inclusion or of the withdrawal or exclusion of such territory.

SEC. 5. All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for the authorization, issuance, sale, or exchange of bonds of any such public body for any public purpose are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the authorization, issuance, sale, or exchange of such bonds.

All bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of the public body.

SEC. 6. (a) The foregoing provisions of this act shall operate to supply such legislative authorization as may be necessary to validate any such acts and proceedings heretofore taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken.

(b) The foregoing provisions of this act shall be limited to the validation of acts and proceedings to the extent to which the same can be effectuated under the State and Federal Constitutions.

(c) The foregoing provisions of this act shall not operate to confirm, validate, or legalize any act, proceeding, or other matter the legality of which is being contested or inquired into in any legal proceeding now pending and undetermined or which may be pending or undetermined during the period of 30 days from and after the effective date of this act, and shall not operate to confirm, validate, or legalize any act, proceeding, or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective.

(d) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States.

SEC. 7. Any action or proceeding contesting the validity of any action or proceeding heretofore taken under any law, or under color of any law, for the formation, organization or incorporation of any public body, or for any annexation thereto, exclusion therefrom or other change of boundaries thereof, or for the authorization, issuance, sale or exchange of bonds thereof upon any ground involving an alleged defect or illegality not effectively validated by the prior provisions of this act and not otherwise barred by any statute of limitations or by laches must be commenced within six months of the effective date of this act; otherwise each and all of said matters shall be held to be valid and in every respect legal and incontestable. This subsection shall not extend the period in which any action may be brought beyond the period in which it would be barred by any presently existing valid statute of limitations.

SEC. 8. Nothing contained in this act shall be construed to render the creation of any city or district, or any change

in the boundaries of any city or district, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Sections 54900 to 54904, inclusive, of the Government Code, is filed within the time and substantially in the manner required by said sections.

SEC. 9. As used in this act, the word "now" means the date this act takes effect; the word "heretofore" means any time prior to such effective date; and the word "hereafter" means any time subsequent to such effective date.

SEC. 10. This act may be cited as the First Validating Act of 1962.

SEC. 11. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The peace, health and safety of the citizens of the State require the orderly and unhampered functioning of public bodies and such functioning depends upon the validity of the organization, boundaries, and governing officers or boards of public bodies, and upon the validity of acts, proceedings, and bonds of public bodies, and it is therefore imperative and essential that such matters be validated so that during the period before this act would otherwise become effective:

(1) Citizens of the State can be afforded the protection of the police, fire, safety, sanitary, and other regulations and protections provided by public bodies;

(2) Public works and construction by public bodies can be commenced and continued without delay or restriction, to provide sewers, waterworks, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, firehouses and facilities, police stations and facilities, streets, hospitals, and other works, structures, improvements, and facilities required for the public peace, health and safety, and immediately needed to provide for an increased population;

(3) Public bodies can issue and sell bonds heretofore authorized for the purpose of providing sewers, waterworks, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, firehouses and facilities, police stations and facilities, streets, hospitals, and other works, structures, improvements, and facilities required for the public peace, health and safety and immediately needed to provide for an increased population, which cannot now be sold because of defects in the organization or boundaries of some public body or in the authorization of such bonds, which defects will be cured by this act.

CHAPTER 17

An act to add Section 54909 to the Government Code, relating to the filing of statements and maps and plats for tax purposes, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 11, 1962. Filed with Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 54909 is added to the Government Code, to read:

54909. This chapter does not apply with respect to any taxes levied or collected during the fiscal years 1960-61 and 1961-62 by any city for which an order of incorporation has been filed with the Secretary of State after February 1, 1961, and on or prior to May 1, 1961, if the statement, together with the map or plat, described in this chapter was filed on or before May 1, 1961, with the assessor whose assessment roll was used for the levy and with the State Board of Equalization.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The peace, health and safety of the citizens of the State require the prompt, orderly and unhampered functioning of public bodies. With respect to newly formed cities incorporated after February 1, 1961, it is imperative and essential that nothing hamper such cities in their immediate functioning, and it is therefore necessary that this act take effect immediately so that during the period before this act would otherwise become effective:

(1) Citizens of the State can be afforded the protection of the police, fire, safety, sanitary and other regulations and protections provided by newly incorporated cities;

(2) Public works and construction by newly incorporated cities can be commenced and continued without delay or restriction, to provide sewers, waterworks, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, firehouses and facilities, police stations and facilities, streets, hospitals, and other works, structures, improvements, and facilities required for the public peace, health and safety, and immediately needed to provide for an increased population.

CHAPTER 18

An act to add Article 16 (commencing with Section 25875) to Chapter 7.6, Division 20 of the Health and Safety Code, relating to the ratification of the agreement between the United States Atomic Energy Commission and the State of California.

[Approved by Governor April 11, 1962. Filed with Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Article 16 (commencing with Section 25875) is added to Chapter 7.6, Division 20 of the Health and Safety Code, to read:

Article 16. Agreement between the United States Atomic Energy Commission and the State of California

25875. The Legislature of the State of California hereby ratifies and approves that certain agreement designated as the "Agreement between the United States Atomic Energy Commission and the State of California for Discontinuance of Certain Commission Regulatory Authority and Responsibility within the State Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended," which was approved by the Chairman of the Atomic Energy Commission on the ninth day of March 1962, under authority of Section 274 of the Atomic Energy Act of 1954, as amended (Public Law 86-373), and by the Governor of California on the 12th day of March 1962, under authority of and in conformity with Section 25830, Chapter 7.6, Division 20, of the Health and Safety Code of the State of California; and the provisions of said agreement shall become effective in accordance with Article IX of the agreement set forth in Section 25876.

25876. The provisions of said agreement are as follows:

Article I

Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and Section 161 of the Act with respect to the following materials:

- A. Byproduct materials;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

Article II

This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Article III

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article IV

This Agreement shall not affect the authority of the Commission under Subsection 161 b. or i of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article V

The State will use its best efforts to maintain continuing compatibility between its program and the program of the Commission for the regulation of like materials. To this end the State will use its best efforts to keep the Commission informed of proposed changes in its rules and regulations, and licensing, inspection, and enforcement policies and criteria, and of proposed requirements for the design and distribution of products containing source, byproduct, or special nuclear material, and to obtain the comments and assistance of the Commission thereon.

Article VI

The Commission will use its best efforts to keep the State informed of proposed changes in its rules and regulations, and licensing, inspection, and enforcement policies and criteria and to obtain the comments and assistance of the State thereon.

Article VII

The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VIII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

Article IX

This Agreement, upon ratification by law of the State, shall become effective on the ninety-first day after the adjournment of the First Extraordinary Session of the 1962 California Legislature or on September 1, 1962, whichever is later, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VIII.

CHAPTER 19

An act to amend Section 13514 of the Education Code, relating to public school employees.

[Approved by Governor April 11, 1962. Filed with
Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 13514 of the Education Code is amended to read:

13514. The service of any certificated employee, who prior to September 15, 1961 rendered service in a position requiring certification qualifications for a period during which he did not have a valid credential in force, and who during such period had the necessary qualifications for the credential required for the position, and to whom there has been issued subsequently a credential required for the position in which the service was rendered, is hereby validated, and the employee shall be entitled to compensation for such period as though the credential were in force during the period of service, and the attendance

of the pupils taught by such person shall be included in the computation of the average daily attendance of the district. This section shall be inoperative after September 30, 1962.

CHAPTER 20

An act making an appropriation to the Emergency Fund in augmentation of Item 283, Budget Act of 1961.

[Approved by Governor April 11, 1962. Filed with
Secretary of State April 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The sum of three million two hundred thousand dollars (\$3,200,000) is hereby appropriated for the Emergency Fund in augmentation of and upon the same terms and conditions as the appropriation made by Item 283, Budget Act of 1961.

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 21

An act to add Chapter 15.5 (commencing with Section 19891) to Division 14 of the Education Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; appropriating money for the purpose of carrying out this chapter; and providing for the submission of the measure to the people at a special election to be consolidated with the 1962 direct primary election.

[Approved by Governor April 13, 1962. Filed with
Secretary of State April 13, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Chapter 15 5 (commencing with Section 19891) is added to Division 14 of the Education Code, to read:

CHAPTER 15 5. STATE SCHOOL BUILDING
AID BOND LAW OF 1962

19891. This act may be cited as the State School Building Aid Bond Law of 1962.

19892. The State General Obligation Bond Law is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this chapter, and the provisions of that law are included in this chapter as though set out in full in this chapter. All references in this chapter to "herein" shall be deemed to refer both to this chapter and such law.

19893. As used in this chapter, and for the purposes of this chapter as used in the State General Obligation Bond Law, the following words shall have the following meanings:

(a) "Committee" means State School Building Finance Committee, created by Section 19510.

(b) "Board" means State Allocation Board.

(c) "Fund" means State School Building Aid Fund

19894. For the purpose of creating a fund to provide aid to school districts of the State in accordance with the provisions of the State School Building Aid Law of 1952, and of all acts amendatory thereof and supplementary thereto, the committee shall be and is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of two hundred million dollars (\$200,000,000) in the manner provided herein, but not in excess thereof.

19895. All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereof.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum

On the several dates of maturity of said principal and interest in each fiscal year, there shall be transferred to the General Fund in the State Treasury, all of the money in the fund, not in excess of the principal of and interest on the said bonds then due and payable, except as herein provided for the prior redemption of said bonds, and, in the event such money so returned on said dates of maturity is less than the said principal and interest then due and payable, then the balance remaining unpaid shall be returned into the General Fund in

the State Treasury out of the fund as soon thereafter as it shall become available.

19896. All money deposited in the fund under Section 19611 of this code and pursuant to the provision of Part 2, commencing with Section 16300, of Division 4, Title 2, of the Government Code, shall be available only for transfer to the General Fund, as provided in Section 19895. When transferred to the General Fund such money shall be applied as a reimbursement to the General Fund on account of principal and interest due and payable or paid from the General Fund on the earliest issue of school building bonds for which the General Fund has not been fully reimbursed by such transfer of funds.

19897. Whenever bonds are sold, out of the first money realized from their sale there shall be redeposited in the revolving fund established in subdivision (b) of Section 19898 such sums as have been expended for the purposes specified in subdivision (b) of Section 19898 which funds may be used for the same purpose and repaid in the same manner whenever additional sales are made. Whenever all the bonds authorized by this chapter have been sold, the amount remaining in the revolving fund established by subdivision (b) of Section 19898 shall revert to the unappropriated surplus in the General Fund.

19898. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this chapter, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this chapter, as said principal and interest become due and payable.

(b) The sum of seventy-five thousand dollars (\$75,000) to be used as a revolving fund to pay the expenses incurred by the State Treasurer in having the bonds prepared and in advertising their sale or their prior redemption, for expenses incurred by the committee pursuant to Government Code Section 16758, and for legal services, upon approval of the State Board of Control, pursuant to Government Code Section 16760.

(c) Such sum as is necessary to carry out the provisions of Section 19899, which sum is appropriated without regard to fiscal years.

19899. For the purposes of carrying out the provisions of this chapter the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in a revolving fund to be allocated by the board in accordance with this chapter. Any moneys made available under this section to the board shall be returned by the board to the General Fund from moneys received from

the sale of bonds sold for the purpose of carrying out this chapter.

19900. Upon request of the board, supported by a statement of the apportionments made and to be made under Sections 19551 to 19689, inclusive, the committee shall determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter in order to make such apportionments, and, if so, the amount of bonds then to be issued and sold. A sufficient number of bonds authorized under this chapter shall be issued and sold so that seven million dollars (\$7,000,000) will be available for apportionment on September 5, 1962, or as soon thereafter as such bonds can be issued and sold, and so that twelve million dollars (\$12,000,000) will become available for apportionment on October 5, 1962 and a like amount on the fifth day of each month thereafter until a total of two hundred million dollars (\$200,000,000) has become available for apportionment. Successive issues of bonds may be authorized and sold to make such apportionments progressively, and it shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

19901. In any resolution determining that the sale of all or any part of the bonds herein authorized is necessary or desirable, the committee may in its discretion adopt provisions for the interexchange of bonds of different denominations, the issuance of new bonds of different denominations in lieu of, or in exchange for, bonds of a like aggregate principal amount but of different denominations, and the authentication of any bonds by the State Controller or by any deputy state controller. If authentication is so required, no bond authorized herein shall be valid unless so authenticated in the manner so required.

19902. In computing the net interest cost under Section 16754 of the Government Code, interest shall be computed from the date of the bonds or the last preceding interest payment date, whichever is latest, to the respective maturity dates of the bonds then offered for sale at the coupon rate or rates specified in the bid, such computation to be made on a 360-day year basis.

19903. The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the State Treasurer.

19904. All proceeds from the sale of the bonds herein authorized deposited in the fund, as provided in Section 16757 of the Government Code, except those derived from premium and accrued interest, shall be available for the purpose herein provided, but shall not be available for transfer to the General Fund pursuant to Section 19895 to pay principal and interest on bonds.

19905. With respect to the proceeds of bonds authorized by this chapter, all the provisions of Section 19551 to 19689, inclusive, shall apply except:

(a) Any reference in Sections 19551 to 19689, inclusive, to "Section 16.5, Article XVI of the Constitution of this State" shall be deemed a reference to this chapter.

(b) Any reference in Sections 19551 to 19689, inclusive, to "Section 19704" shall be deemed a reference to "Section 19895."

SEC. 2. Section 1 of this act shall take effect upon the adoption by the people of the State School Building Aid Bond Law of 1962, as set forth in Section 1 of this act. Sections 2 to 9 of this act contain provisions relating to and necessary for the submission of the State School Building Aid Bond Law of 1962 to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately.

SEC. 3. A special election is hereby called to be held throughout the State on the fifth day of June, 1962. The special election shall be consolidated with the direct primary election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act. A separate ballot pamphlet shall be prepared, compiled, and distributed relating to such measure and other measures submitted by the Legislature to the people at special elections consolidated with the direct primary election. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 4. At the special election called by this act there shall be submitted to the electors Section 1 of this act.

SEC. 5. Upon the effective date of this section, the author of the measure submitted pursuant to this act and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this section takes effect.

SEC. 6. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall

be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 7. All ballots at said election shall have printed thereon and in a square thereof, the words: "For the State School Building Aid Bond Law of 1962," and the same square under said words the following in 8-point type: "This act provides for a bond issue of two hundred million dollars (\$200,000,000) to provide capital outlay for construction or improvement of public schools." In the square immediately below the square containing such words, there shall be printed on said ballot the words, "Against the State School Building Aid Bond Law of 1962," and in the same square immediately below said words, in 8-point type shall be printed "This act provides for a bond issue of two hundred million dollars (\$200,000,000) to provide capital outlay for construction or improvement of public schools." Opposite the words "For the State School Building Aid Bond Law of 1962," and "Against the State School Building Aid Bond Law of 1962," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words, "For the State School Building Aid Bond Law of 1962," and those voting against the said act shall do so by placing a cross opposite the words "Against the State School Building Aid Bond Law of 1962." Provided, that where the voting of said election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of this act to the people, as aforesaid, in his proclamation calling for said election. Notwithstanding the provisions of Section 10212 of the Elections Code, Section 1 of this act shall appear first in order on the ballot and in the ballot pamphlets used at the election at which it is submitted.

SEC. 8. The votes cast for or against the State School Building Aid Bond Law of 1962 shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for state officers; and if it appears that said act shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrevocable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against this act then the same shall be and become void.

SEC. 9. Upon the effective date of this section the Secretary of State shall request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The analysis shall be filed with the Secretary of State within five days after the effective date of this section.

CHAPTER 22

An act to add Article 5i (commencing at Section 996.87) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of the Veterans' Finance Committee of 1943 and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, appropriating money for the purpose of carrying out the provisions of the article; and providing for the submission of the measure to the people at a special election to be consolidated with the 1962 direct primary election.

[Approved by Governor April 13, 1962 Filed with
Secretary of State April 13, 1962]

The people of the State of California do enact as follows:

SECTION 1. Article 5i is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5i. Veterans Bond Act of 1962

996.87. This article may be cited as the Veterans Bond Act of 1962.

996.88. The State General Obligation Bond Law, except as otherwise provided herein, is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this article, and the provisions of that law are included in this article as though set out in full in this article. All references in this article to "herein" shall be deemed to refer both to this article and such law.

996.89. As used in this article and for the purposes of this article as used in the State General Obligation Bond Law, Title 2, Division 4, Part 3, Chapter 4 (commencing at Section

16720) of the Government Code, the following words shall have the following meanings:

(a) "Bond" means veterans bond, a state general obligation bond issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(b) "Committee" means the Veterans' Finance Committee of 1943, created by Section 991 of the Military and Veterans Code.

(c) "Board" means the Department of Veterans Affairs.

(d) "Fund" means the Veterans Farm and Home Building Fund of 1943 created by Section 988 of the Military and Veterans Code.

(e) "Bond Act" means this article authorizing the issuance of State General Obligation Bonds and adopting Title 2, Division 4, Part 3, Chapter 4 of the Government Code by reference.

996.90. For the purpose of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and of all acts amendatory thereof and supplemental thereto, the Veterans' Finance Committee of 1943, created by Section 991, shall be and it hereby is authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of two hundred fifty million dollars (\$250,000,000), in the manner provided herein, but not otherwise, nor in excess thereof.

996.91. All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereof.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collections of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

On the several dates on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal and interest on the bonds in each fiscal year, there shall be returned into the General Fund in the State Treasury, all of the money in the Veterans' Farm and Home Building Fund of 1943, not in excess of the principal of and interest on the said bonds then due and payable, except as hereinafter provided for the prior redemption of said bonds, and, in the event such money so returned on said remittance dates is less than said principal and interest then due and payable, then the balance remaining unpaid shall be returned into the General Fund in the State Treasury out of said Veterans'

Farm and Home Building Fund of 1943 as soon thereafter as it shall become available, together with interest thereon from such dates of maturity until so returned at the same rate as borne by said bonds, compounded semiannually.

996.92. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this article, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this article, as said principal and interest become due and payable.

(b) The sum of seventy-five thousand dollars (\$75,000) to be used as a revolving fund to pay the expenses incurred by the State Treasurer in having the bonds prepared and in advertising their sale or their prior redemption, for expenses incurred by the committee pursuant to Government Code Section 16758, and for legal services, upon approval of the State Board of Control, pursuant to Government Code Section 16760.

(c) Such sum as is necessary to carry out the provisions of Section 996.93 which sum is appropriated without regard to fiscal years.

996.93. For the purposes of carrying out the provisions of this article the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this article. Any amounts withdrawn shall be deposited in the Veterans' Farm and Home Building Fund of 1943. Any moneys made available under this article to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this article, together with interest at the rate of interest fixed in the bonds so sold.

996.94. Upon request of the Department of Veterans Affairs, supported by a statement of the plans and projects of said department with respect thereto, and approved by the Governor, the Veterans' Finance Committee of 1943 shall determine whether or not it is necessary or desirable to issue any bonds authorized under this article in order to carry such plans and projects into execution, and, if so, the amount of bonds then to be issued and sold. Successive issues of bonds may be authorized and sold to carry out said plans and projects progressively, and it shall not be necessary that all the bonds herein authorized to be issued shall be sold at any one time.

996.95. So long as any bonds authorized under this article may be outstanding, the Director of the Department of Veterans Affairs shall cause to be made at the close of each fiscal year, a survey of the financial condition of the Division of Farm and Home Purchases, together with a projection of the division's operations, such survey to be made by an independent public accountant of recognized standing. The results

of such surveys and projections shall be set forth in written reports and said independent public accountant shall forward copies of said reports to the Director of the Department of Veterans Affairs, the members of the California Veterans Board, and to the members of the Veterans' Finance Committee of 1943. The Division of Farm and Home Purchases shall reimburse said independent public accountant for his services out of any funds which said division may have available on deposit with the Treasurer of the State of California.

996.96. The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the State Treasurer.

996.97. The annual rate or rates of interest on the bonds may be in multiples of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The definitive rates of interest which the bonds hereby authorized shall bear may be determined and fixed by the Veterans' Finance Committee of 1943 by resolution adopted at or after the sale of said bonds, but not exceeding in any case 5 percent per annum payable semiannually.

996.98. Whenever bonds are sold, out of the first money realized from their sale, there shall be redeposited in the revolving fund established by subdivision (b) of Section 996.92 such sums as have been expended for the purposes specified in subdivision (b) of Section 996.92, which may be used for the same purpose and repaid in the same manner whenever additional sales are made. Whenever all the bonds authorized by this article have been sold, the amount of the appropriation made by subdivision (b) of Section 996.92 shall revert to the unappropriated surplus in the General Fund.

SEC. 2. Section 1 of this act shall take effect upon the adoption by the people of the Veterans Bond Act of 1962, as set forth in Section 1 of this act. Sections 2 to 9 of this act contain provisions relating to and necessary for the submission of the Veterans Bond Act of 1962 to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately.

SEC. 3. A special election is hereby called to be held throughout the State on the fifth day of June, 1962. The special election shall be consolidated with the direct primary election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act. A separate ballot pamphlet shall be prepared, compiled, and distributed relating to such measure and other measures submitted by the Legislature to the people at special elections consolidated with the direct primary election. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those

pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 4. At the special election called by this act there shall be submitted to the electors Section 1 of this act.

SEC. 5. Upon the effective date of this section, the author of the measure submitted pursuant to this act and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this section takes effect.

SEC. 6. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 7. All ballots at said election shall have printed thereon and in a square thereof, the words: "For the Veterans Bond Act of 1962," and the same square under said words the following in eight-point type: "This act provides for a bond issue of two hundred fifty million dollars (\$250,000,000) to provide farm and home aid for California veterans." In the square immediately below the square containing such words, there shall be printed on said ballot the words, "Against the Veterans Bond Act of 1962," and in the same square immediately below said words, in eight-point type shall be printed "This act provides for a bond issue of two hundred fifty million dollars (\$250,000,000) to provide farm and home aid for California veterans." Opposite the words "For the Veterans Bond Act of 1962," and "Against the Veterans Bond Act of 1962," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words, "For the Veterans Bond Act of 1962," and those voting against the said act shall do so by placing a cross opposite the words "Against the Veterans Bond Act of 1962." Provided, that where the voting of said election is done by means of voting machines used pur-

suant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of this act to the people, as aforesaid, in his proclamation calling for said election.

SEC. 8. The votes cast for or against the Veterans Bond Act of 1962 shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for state officers; and if it appears that said act shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrevocable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against this act then the same shall be and become void.

SEC. 9. Upon the effective date of this section the Secretary of State shall request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The analysis shall be filed with the Secretary of State within five days after the effective date of this section.

CHAPTER 23

An act to provide for meeting the building needs of the State by the adoption of a general construction program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, making an appropriation therefor, and providing for the submission of the measure to the people at a special election to be consolidated with the 1962 direct primary election.

[Approved by Governor April 13, 1962. Filed with
Secretary of State April 13, 1962.]

The people of the State of California do enact as follows:

SECTION 1. This act shall be known, and may be cited, as the State Construction Program Bond Act of 1962.

Sec. 2. The primary purpose of this act is to provide the necessary funds to meet the major building construction, equipment and site acquisition needs for the state government, including junior colleges if legislation to provide funds for such colleges is adopted, as more particularly described in the report submitted by the Department of Finance pursuant to Senate Resolution No. 15 of the 1954 First Extraordinary Session, entitled "Report on State Building Construction Program," as revised March 7, 1962. Not less than twenty million dollars (\$20,000,000) of the proceeds from the sale of bonds

pursuant to this act shall be available beginning July 1, 1963, for expenditure for major building construction, equipment and site acquisition for junior colleges, and for the payment of interest and redemption of outstanding bonds of a school district or of a city and county issued for junior college capital outlay purposes. Nothing in this act is intended to prevent the Legislature from deviating from the specific projects mentioned in said report in utilizing the proceeds of the bonds herein authorized; provided such funds are not used for purposes specifically excluded from the program contemplated by said report or for purposes not reasonably related thereto. Nothing in this act is intended to bind the Legislature to follow the system of priorities contained in said report.

SEC. 3. Bonds in the total amount of two hundred seventy million dollars (\$270,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in Section 2 of this act. Said bonds shall be known and designated as State Construction Program bonds and, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California are hereby pledged for the punctual payment of both principal and interest on said bonds as said principal and interest become due and payable.

SEC. 4. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, such sum in addition to the ordinary revenues of the State as shall be required to pay the principal and interest on said bonds maturing in said year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum.

SEC. 5. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this act, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal and interest on bonds issued and sold pursuant to the provisions of this act, as said principal and interest become due and payable.

(b) The sum of seventy-five thousand dollars (\$75,000) to be used as a revolving fund to pay the expenses incurred by the State Treasurer in preparing and advertising the sale or prior redemption of bonds issued pursuant to this act, to defray expenses incurred by the State Construction Program Committee pursuant to Government Code Section 16758, and for the payment of legal services upon approval of the State Board of Control, pursuant to Government Code Section 16760.

(c) Such sum as is necessary to carry out the provisions of Section 8 of this act, which sum is appropriated without regard to fiscal years.

SEC. 6. The proceeds of bonds issued and sold pursuant to this act, together with interest earned thereon, if any, shall be deposited in the State Construction Program Fund. The money in the fund may be expended only for the purposes specified in this act and only pursuant to appropriation by the Legislature in the manner hereinafter prescribed.

SEC. 7. A section shall be included in the budget bill for each fiscal year bearing the caption State Construction Bond Act Program. Said section shall contain proposed appropriations only for the program contemplated by this act, and no funds derived from the bonds authorized by this act may be expended pursuant to an appropriation not contained in said section of the Budget Act. The Department of Finance, which is hereby designated as the board for the purposes of this act, shall annually total the Budget Act appropriations referred to in this section and, pursuant to Section 16730 of the Government Code, request the State Construction Program Committee to cause bonds to be issued and sold in quantities sufficient to carry out the projects for which such appropriations were made.

SEC. 8. For the purposes of carrying out the provisions of this act the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this act. Any amounts withdrawn shall be deposited in the State Construction Program Fund. Any moneys made available under this section to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this act, together with interest at the rate of interest fixed in the bonds so sold.

SEC. 9. The bonds authorized by this act shall be prepared, executed, issued, sold, paid and redeemed as provided in the State General Obligation Bond Law (Chapter 4 of Part 3, Division 4, Title 2 of the Government Code), and all of the provisions of said law are applicable to said bonds and to this act, and are hereby incorporated in this act as though set forth in full herein.

SEC. 10. The State Construction Program Committee is hereby created. The committee shall consist of the Governor, the State Controller, the State Treasurer, the Director of Finance, and the Director of Public Works. For the purpose of this act the State Construction Program Committee shall be "the committee" as that term is used in the State General Obligation Bond Law.

SEC. 11. Out of the first money realized from the sale of bonds issued pursuant to this act there shall be redeposited to the credit of the appropriation made by subdivision (b) of Section 5 of this act such sums as have been expended for the purposes specified in said subdivision (b) of Section 5. The amounts so redeposited may be used for the same purposes

whenever additional sales of bonds are made pursuant to this act. When all the bonds authorized by this act have been sold, the unexpended and unobligated balance of the appropriation made by subdivision (b) of Section 5 of this act, shall revert to the General Fund.

SEC. 12. Sections 1 to 11 of this act shall take effect upon the adoption by the people of the State Construction Program Bond Act of 1962, as set forth in Sections 1 to 11 of this act. Sections 12 to 19 of this act contain provisions relating to and necessary for the submission of the State Construction Program Bond Act of 1962 to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately.

SEC. 13. A special election is hereby called to be held throughout the State on the fifth day of June, 1962. The special election shall be consolidated with the direct primary election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act. A separate ballot pamphlet shall be prepared, compiled, and distributed relating to such measure and other measures submitted by the Legislature to the people at special elections consolidated with the direct primary election. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 14. At the special election called by this act there shall be submitted to the electors Sections 1 to 11 of this act.

SEC. 15. Upon the effective date of this section, the author of the measure submitted pursuant to this act and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this section takes effect.

SEC. 16. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall

be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 17. All ballots at said election shall have printed thereon and in a square thereof, the words: "For the State Construction Program Bond Act of 1962," and the same square under said words the following in 8-point type: "This act provides for a bond issue of two hundred seventy million dollars (\$270,000,000) for the building construction, equipment and site acquisition needs of the state government." In the square immediately below the square containing such words, there shall be printed on said ballot the words, "Against the State Construction Program Bond Act of 1962," and in the same square immediately below said words, in 8-point type shall be printed "This act provides for a bond issue of two hundred seventy million dollars (\$270,000,000) for the building construction, equipment and site acquisition needs of the state government." Opposite the words "For the State Construction Program Bond Act of 1962," and "Against the State Construction Program Bond Act of 1962," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words, "For the State Construction Program Bond Act of 1962," and those voting against the said act shall do so by placing a cross opposite the words "Against the State Construction Program Bond Act of 1962." Provided, that where the voting of said election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of the measure to the people, as aforesaid, in his proclamation calling for said election.

SEC. 18. If it appears that the measure shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrepealable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against the measure then the same shall be and become void.

SEC. 19. Upon the effective date of this section the Secretary of State shall request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The analysis shall be filed with the Secretary of State within five days after the effective date of this section.

CHAPTER 24

An act to add Chapter 1.5 (commencing with Section 5095.1) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and county beach, park, recreational, small craft harbor, and historical sites and facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, and making an appropriation therefor, and providing for the submission of the measure to the people at a special election to be consolidated with the 1962 direct primary election.

[Approved by Governor April 13, 1962. Filed with Secretary of State April 13, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Chapter 1.5 (commencing with Section 5095.1) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 1.5. STATE PARK AND RECREATION BOND ACT

5095.1. This chapter may be cited as the "Cameron-Unruh Park and Recreation Bond Act."

5095.2. The purpose of this chapter is to provide the necessary funds to meet the costs of developing a statewide recreational program, including the acquisition and development of beaches, parks, recreational facilities, small craft harbor facilities, and historical monuments, as hereafter provided by the Legislature.

5095.3. The expenditures of the proceeds of bonds issued pursuant to this chapter shall be as hereafter provided by the Legislature. Exclusive of the funds made available pursuant to Section 5095.9, no funds derived from the bonds authorized by this chapter shall be appropriated for any project the plans for which have not previously been approved by the Legislature.

Exclusive of the funds made available pursuant to Section 5095.9, all proposed appropriations for the program contemplated by this chapter shall be included in a section in the Budget Bill for each fiscal year for consideration by the Legislature, and shall bear the caption "State Park and Recreation Bond Act Program." Said section shall contain separate items for each project for which an appropriation is made. Such appropriations shall be subject to all limitations contained in said Budget Bill and to all other fiscal procedures prescribed by law with respect to the expenditure of state funds. Said section shall contain proposed appropriations only for the program contemplated by this chapter, and no funds derived from the bonds authorized by this chapter may be expended pursuant to an appropriation not contained in said section of

the Budget Act. The Legislature shall have the power to add appropriations for approved projects to said section and to appropriate the amount for each project that it determines to be necessary, or it may reject a project or projects recommended.

5095.4. Bonds in the total amount of one hundred fifty million dollars (\$150,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes of this chapter. Said bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California are hereby pledged for the punctual payment of both principal and interest on said bonds as said principal and interest become due and payable.

No funds derived from the bonds authorized by this section shall be expended for the construction of any reservoir designated as a part of the "State Water Facilities" as defined in subdivision (d) of Section 12934 of the Water Code, but such funds may be expended for the acquisition and development of beaches, parks, recreational facilities, and historical monuments at or in the vicinity of any such reservoir.

5095.5. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal and interest on bonds issued and sold pursuant to this chapter, as such principal and interest become due and payable. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, such sum in addition to the ordinary revenues of the State as shall be required to pay the principal and interest on said bonds maturing in said year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum.

5095.6. The proceeds of bonds issued and sold pursuant to this chapter, together with interest earned thereon, if any, shall be deposited in the State Park and Recreation Fund, which fund is hereby created. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

5095.7. Of the total amount of proceeds, ninety-five million dollars (\$95,000,000) shall be available for expenditure, in such manner as the Legislature may provide, as follows:

(a) Not less than 15 percent nor more than 25 percent of such proceeds shall be available for expenditure for the development by the State of beaches, parks, recreational facilities, and historical monuments. As used in this section, "development" means development of a substantial and permanent nature, including, but not limited to, roads, parking facilities,

reservoirs, water and sewage systems, boat launching ramps, permanent buildings, and beach restoration.

(b) The remainder of such proceeds shall be available for expenditure for the acquisition of sites by the State for beaches, parks, recreational facilities, and historical monuments, and not more than two million five hundred thousand dollars (\$2,500,000) of such remainder shall be available for expenditure for fire prevention purposes, including, but not limited to fireroads, firebreaks, and water storage facilities, to protect forests with a historical, wildlife conservation, or recreational significance.

Of the total amount of proceeds to be expended pursuant to this section, not less than 40 percent thereof shall be expended in the Counties of San Luis Obispo, Kern, Inyo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego and Imperial; not less than 40 percent thereof shall be expended in the remaining counties of the State; and the balance thereof may be expended in any area of the State.

5095.8. Of the total amount of proceeds, forty-five million dollars (\$45,000,000) shall be available for expenditure, in such manner as the Legislature may provide, for grants to individual counties, or to two or more counties engaged in a joint project, for projects the primary emphasis of which is the providing of regional recreational facilities for public daytime recreational use and for regional public participation. No grant shall be made for any type of project designed primarily for indoor recreation or for permanent structures designed primarily to seat spectators at recreational events. Any city may participate with a county in a project with the consent of the county, but only a county may apply for a grant.

At least 50 percent of the total amount of proceeds available for grants shall be apportioned among each of the counties in the State in the proportion that the total 1975 estimated population of each county bears to the total 1975 estimated population of all counties in the State.

For the purposes of this section the 1975 estimated population of the several counties of the State shall be as contained in a document entitled "Preliminary Projections of California Areas and Counties to 1975," published on January 3, 1962, by the Department of Finance.

Any amount apportioned for grants to a county may be received by the county as a grant in connection with a joint project with another county or counties.

5095.9. Of the total amount of proceeds, five million dollars (\$5,000,000) shall be available, when appropriated by the Legislature, for expenditure by the Wildlife Conservation Board for recreational purposes pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300), Division 2, Fish and Game Code). The Wildlife Conservation Board is hereby designated as the board for the purposes of this section and for the purposes of the State General Obligation Bond Law for this section only.

5095.10. Of the total amount of proceeds, five million dollars (\$5,000,000) shall be available, when appropriated by the Legislature, for expenditure by the Division of Small Craft Harbors of the Department of Parks and Recreation pursuant to the Small Craft Harbors Law (Division 5.7 (commencing with Section 5801), Public Resources Code).

5095.11. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid and redeemed as provided in the State General Obligation Bond Law (Chapter 4, commencing with Section 16720, of Part 3, Division 4, Title 2 of the Government Code), and all of the provisions of said law are applicable to said bonds and to this chapter, and are hereby incorporated in this chapter as though set forth in full herein.

5095.12. The State Park and Recreation Finance Committee is hereby created. The committee consists of the Governor, the State Controller, the State Treasurer, the Director of Finance, and the Administrator of the Resources Agency. For the purposes of this chapter the State Park and Recreation Finance Committee shall be "the committee" as that term is used in the State General Obligation Bond Law. Except as provided in Section 5095.9, the Department of Parks and Recreation is hereby designated as the board for the purposes of this chapter and for the purposes of the State General Obligation Bond Law.

5095.13. For the purposes of carrying out the provisions of this chapter the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purposes of carrying out this chapter. Any amounts withdrawn shall be deposited in the State Park and Recreation Fund. Any moneys made available under this section shall be returned to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out the provisions of this chapter.

5095.14. The sum of twenty thousand dollars (\$20,000) is hereby appropriated from the General Fund to pay the expenses incurred by the State Treasurer in preparing and advertising the sale or prior redemption of bonds issued pursuant to this chapter, to defray expenses incurred by the State Park and Recreation Finance Committee pursuant to Section 16758 of the Government Code, and for the payment of legal services, upon approval of the State Board of Control, pursuant to Section 16760 of said code. Out of the first money realized from the sale of bonds issued pursuant to this chapter there shall be redeposited to the credit of the appropriation made by this section such sums as have been expended for the purposes specified in this section. The amounts so redeposited may be used for the same purposes whenever additional sales of bonds are made pursuant to this chapter. The appropriation made by this section is made without regard to fiscal years but, when all the bonds authorized by this chapter have been sold, the

unexpended and unobligated balance of this appropriation shall revert to the General Fund.

SEC. 2. To advise and assist the Legislature in prescribing appropriate standards, methods, conditions, and procedures for the expenditure of the proceeds from the bonds authorized by Section 1 of this act, the State Park and Recreation Program Development Committee is hereby established. The committee shall be composed of the following members: The Director of Finance, the Administrator of the Resources Agency, the Chairman of the State Park Commission; two Senators appointed by the Rules Committee of the Senate, and two Assemblymen appointed by the Speaker of the Assembly. The legislative members of the committee shall participate in the activities of the committee to the extent that such participation is not incompatible with their positions as Members of the Legislature. The appointed Members of the Legislature shall constitute a joint interim investigating committee on the subject of this section and as such shall have the powers and duties imposed upon such committees by the Joint Rules of the Senate and Assembly. The expenses of the legislative members of the committee shall be paid from the contingent funds of the Senate and the Assembly, respectively.

The committee shall submit its report and recommendations for equitably, effectively, and economically administering the expenditures of the proceeds from the bonds authorized by Section 1 of this act to the Legislature not later than the fifth legislative day of the 1963 General Session of the Legislature; provided that the committee may submit a preliminary report or reports at any time prior thereto to the Joint Legislative Budget Committee. The Legislature shall devise a method and procedures for administering the program based on said final report submitted by the committee. The committee shall cease to exist upon final adjournment of the 1963 General Session.

The committee shall appoint an executive secretary who shall serve at the pleasure of the committee. The executive secretary shall have such duties as are delegated to him by the committee. The office of the executive secretary shall cease to exist upon final adjournment of the 1963 General Session.

The sum of twenty-five thousand dollars (\$25,000) is appropriated from the General Fund to the State Park and Recreation Program Development Committee for operating expenses incurred pursuant to this section.

SEC. 3. Section 1 of this act shall take effect upon adoption by the people of the State Park and Recreation Bond Act, as set forth in Section 1 of this act. Sections 3 to 10 of this act contain provisions relating to and necessary for the submission of the State Park and Recreation Bond Act to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately; provided, however, that the State Park and Recreation Bond Act as set forth in Section 1 of this act shall not be submitted to the people at any time unless this act is approved by a majority of two-thirds or more

of the members elected to each house of the Legislature, and provided further that if this act is not approved by a majority of two-thirds or more of the members elected to each house of the Legislature, Sections 4 and 5 of this act shall not become operative.

SEC. 4. A special election is hereby called to be held throughout the State on the fifth day of June, 1962. The special election shall be consolidated with the direct primary election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act. A separate ballot pamphlet shall be prepared, compiled, and distributed relating to such measure and other measures submitted by the Legislature to the people at special elections consolidated with the direct primary election. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 5. At the special election called by this act there shall be submitted to the electors Section 1 of this act.

SEC. 6 Notwithstanding the provisions of Chapter 3 of the Statutes of 1962 (1st Ex. Sess.), upon the effective date of this section, the author of the measure submitted pursuant to this act and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this section takes effect.

SEC. 7. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 8. All ballots at said election shall have printed thereon and in a square thereof, the words: "For the State Park and Recreation Bond Act," and in the same square under said words the following in eight-point type: "This act provides for a bond issue of one hundred fifty million dollars (\$150,000,000) to be used to meet the recreational requirements of the people of the State of California by acquiring and developing lands for recreational purposes." In the square immediately below the square containing such words, there shall be printed on said ballot the words, "Against the State Park and Recreation Bond Act," and in the same square immediately below said words, in eight-point type shall be printed "This act provides for a bond issue of one hundred fifty million dollars (\$150,000,000) to be used to meet the recreational requirements of the people of the State of California by acquiring and developing lands for recreational purposes." Opposite the words "For the State Park and Recreation Bond Act," and "Against the State Park and Recreation Bond Act," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words, "For the State Park and Recreation Bond Act," and those voting against the said act shall do so by placing a cross opposite the words "Against the State Park and Recreation Bond Act." Provided, that where the voting of said election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of this act to the people, as aforesaid, in his proclamation calling for said election.

SEC. 9. The votes cast for or against the State Park and Recreation Bond Act shall be counted, returned and canvassed and declared in the same manner and, subject to the same rules as votes cast for state officers; and if it appears that said act shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrevocable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against this act then the same shall be and become void.

SEC. 10. Notwithstanding the provisions of Chapter 3 of the Statutes of 1962 (1st Ex. Sess.), upon the effective date of this section the Secretary of State shall request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The analysis shall be filed with the Secretary of State within five days after the effective date of this section.

CHAPTER 25

An act calling a special election to be consolidated with the direct primary election of 1962 and to provide for the submission to the electors of the State at such consolidated election Section 1 of Chapter 759 of the Statutes of 1961, and to repeal Section 3 of Chapter 759 of the Statutes of 1961, to take effect immediately.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. A special election is hereby called to be held throughout the State on the fifth day of June, 1962. The special election shall be consolidated with the direct primary election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act. A ballot pamphlet shall be prepared, compiled, and distributed relating to such measure. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 2. At the special election called by this act there shall be submitted to the electors Section 1 of Chapter 759 of the Statutes of 1961.

SEC. 3. The arguments used shall be those submitted on the measure adopted by the Legislature in Chapter 759 of the Statutes of 1961 and now on file with the Secretary of State.

SEC. 4. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 5. Upon the effective date of this act the Secretary of State shall request the Attorney General to prepare a ballot title for the measure and shall also request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The title and analysis

shall be filed with the Secretary of State within five days after the effective date of this act. The measure submitted pursuant to this act shall be designated on the ballots at the election by its ballot title.

SEC. 6. Section 3 of Chapter 759 of the Statutes of 1961 is repealed.

SEC. 7. This act, inasmuch as it provides for the calling of an election, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

CHAPTER 26

An act to amend Sections 3380 and 3384 of, and to add Section 3387 to, the Health and Safety Code, relating to the immunization of pupils of schools.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3380 of the Health and Safety Code is amended to read:

3380. No person may be unconditionally admitted as a pupil of a private elementary or secondary school or as a pupil of any school district unless prior to admission he has been immunized against poliomyelitis in the manner and with immunizing agents approved by the State Department of Public Health.

A person who presents evidence that he has received one such immunizing dose of poliomyelitis vaccine may be admitted on condition that within a period designated by regulation of the State Department of Public Health he presents evidence that he has been fully immunized against poliomyelitis.

A person who has not received any poliomyelitis vaccine may be admitted on condition that within two weeks of the date of his admission he shall present evidence that he has obtained his first such immunizing dose and shall thereafter within a period designated by regulation of the State Department of Public Health present evidence that he has been fully immunized against poliomyelitis.

This chapter does not apply to any person who is seeking admission to a public secondary school as an "adult" as that word is defined in Section 6352 of the Education Code nor to any person who is seeking admission to a private secondary school for enrollment in a course consisting of less than 10 hours of instruction a week who attains his 21st birthday prior to the first day of the semester or other period of instruction for which he is seeking enrollment.

SEC. 2. Section 3384 of said code is amended to read:

3384. Immunization of a person shall not be required for admission to a public or private elementary or secondary school if the parent or guardian or responsible relative or adult who has assumed responsibility for his care and custody (in the case of a minor), or the person seeking admission (if an adult), files with the governing board of the school district or the governing authority of the private school, as the case may be, a letter or affidavit provided by the district or authority, stating that such immunization is contrary to his or her beliefs. However, whenever there is good cause to believe that a person is suffering from poliomyelitis, the person may be temporarily excluded from the school until the governing board of the school district or the governing authority of the private school is satisfied that the disease does not exist.

SEC. 3. Section 3387 is added to said code, to read:

3387. In enacting this chapter, it is the intent of the Legislature to provide a means for the eventual achievement of total immunization against poliomyelitis. This chapter is intended to provide exemptions from immunization under specified conditions. It is also designed to provide for the keeping of adequate records of immunization so that appropriate public agencies and the persons immunized will be able to ascertain that a person is fully immunized or only partially immunized. It is also the intent of the Legislature that the persons required to be immunized by this chapter be allowed to obtain immunization from whatever medical source they so desire, subject only to the condition that the immunization be performed in accordance with the regulations of the State Department of Public Health and that a record of the immunization is made in accordance with such regulations.

CHAPTER 27

An act to amend Sections 28522, and 28693 of the Health and Safety Code, relating to restaurants.

[Approved by Governor April 19, 1962 Filed with
Secretary of State April 20, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 28522 of the Health and Safety Code is amended to read:

28522. "Restaurant" means any coffeeshop, cafeteria, short-order cafe, luncheonette, tavern, cocktail lounge, sandwich stand, soda fountain, private and public school cafeteria or eating establishment, in-plant or employee eating establishment, and any other eating establishment, organization, club, including veterans' club, boardinghouse, guesthouse, or political subdivision, which gives, sells, or offers for sale, food to the public, guests, patrons, or employees as well as kitchens in

which food is prepared on the premises for serving elsewhere, including catering functions. The term "restaurant" shall not include itinerant restaurants, vending machines, vehicles, cooperative arrangements by employees who purchase food or beverages for their own consumption and where no employee is assigned full time to care for or operate equipment used in such arrangement, or private homes; nor shall the term "restaurant" include churches, church societies, private clubs or other nonprofit associations of a religious, philanthropic, civic improvement, social, political, or educational nature, which purchase food, food products, or beverages or which receive donations of food, food products, or beverages, for service without charge to their members, or for service or sale at a reasonable charge to their members or to the general public at occasional fund-raising events, for consumption on or off the premises at which the food, food products, or beverages are served or sold, if the service or sale of such food, food products or beverages does not constitute a primary purpose or function of the club or association, and if no employee or member is assigned full time to care for or operate equipment used in such arrangement.

SEC. 2. Section 28693 of said code is amended to read:

28693. The provisions of this chapter shall not prevent any city, county, or city and county from adopting standards of sanitation, health and hygiene for restaurants, itinerant restaurants, vehicles, vending machines, or other food or beverage serving enterprises or establishments more strict than those contained in this chapter, and requiring a local health permit to maintain and conduct any restaurant, itinerant restaurant, vehicle, vending machine, or other food or beverage serving enterprise or establishment within such city, county, or city and county.

Whenever the enforcement of the minimum requirements of this chapter by any organized local health service is satisfactory to the state department, the enforcement of the provisions of this chapter shall not be duplicated by the state department. The state department may investigate to determine satisfactory enforcement of this chapter by the local authorities.

CHAPTER 28

An act creating the Upper Santa Clara Valley Water Agency, and prescribing its boundaries, organization, operation, management, financing and other powers and duties.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. This act is designated, and may be cited and referred to as, the "Upper Santa Clara Valley Water Agency Law."

SEC. 2. The Upper Santa Clara Valley Water Agency, hereinafter referred to as the "agency," is hereby created, organized and incorporated and shall be managed as herein expressly provided and may exercise the powers herein expressly granted or necessarily implied, and may include contiguous or noncontiguous parcels of both unincorporated and incorporated territory and territory included in any public district having similar powers and shall include all territory lying within the following described boundaries:

All that real property situate in the County of Los Angeles, State of California, more particularly described as follows:

Commencing at the northwesternmost corner of the Agency located at the northwest corner of the southwest one-quarter of the southwest one-quarter of Section 14, T. 5 N., R. 17 W., S.B.B. & M.; and proceeding along lines established by the public land surveys or projections thereof except where noted;

Thence east to the northeast corner of the southeast one-quarter of the southeast one-quarter of Section 13, T. 5 N., R. 17 W.;

Thence south to the southwest corner of the northwest one-quarter of the northwest one-quarter of Section 30, T. 5 N., R. 16 W.;

Thence east to the southeast corner of the northwest quarter of the northwest one-quarter of Section 30, T. 5 N., R. 16 W.;

Thence south to the southwest corner of the southeast one-quarter of the southwest one-quarter of Section 30, T. 5 N., R. 16 W.;

Thence easterly to the northeast corner of the northwest one-quarter of Section 32, T. 5 N., R. 15 W.;

Thence north to the northwest corner of the southeast one-quarter of Section 29, T. 5 N., R. 15 W.;

Thence east to the northeast corner of the southeast one-quarter of Section 29, T. 5 N., R. 15 W.;

Thence north to the northeast corner of Section 29, T. 5 N., R. 15 W.;

Thence east to the northwest corner of the northeast one-quarter of Section 27, T. 5 N., R. 15 W.;

Thence south to the southwest corner of the southeast one-quarter of Section 27, T. 5 N., R. 15 W.;

Thence east to the northeast corner of the northwest one-quarter of the northeast one-quarter of Section 31, T. 5 N., R. 14 W.;

Thence south to the southeast corner of the southwest one-quarter of the southeast one-quarter of Section 31, T. 5 N., R. 14 W.;

Thence east to the quarter corner in the northerly line of Section 5, T. 4 N., R. 14 W.;

Thence south to the quarter corner in the southerly line of Section 5, T. 4 N., R. 14 W.;

Thence east to the quarter corner in the northerly line of Section 9, T. 4 N., R. 14 W.;

Thence south to the center of Section 16, T. 4 N., R. 14 W.;
Thence west to the quarter corner in the west line of Section 17, T. 4 N., R. 14 W.;

Thence south to the southeast corner of Section 18, T. 4 N., R. 14 W.;

Thence west to the quarter corner in the north line of Section 19, T. 4 N., R. 14 W.;

Thence south to the quarter corner in the southerly line of Section 19, T. 4 N., R. 14 W.;

Thence west to the northeast corner of Section 25, T. 4 N., R. 15 W.;

Thence south to the southeast corner of Section 1, T. 3 N., R. 15 W.;

Thence west to the southeast corner of Section 6, T. 3 N., R. 15 W.;

Thence south to the southeast corner of Section 18, T. 3 N., R. 15 W.;

Thence west along the southerly line of Section 18, T. 3 N., R. 15 W. to the southwest corner of said section;

Thence southwesterly to the most northerly corner of the boundary of the City of Los Angeles and thence southwesterly along said city boundary to its westerly intersection of the southerly line of the north half of the north half of Section 24, T. 3 N., R. 16 W.;

Thence westerly to the southwest corner of the northwest one-quarter of the northwest one-quarter of Section 24, T. 3 N., R. 16 W.;

Thence north to the northwest corner of Section 24, T. 3 N., R. 16 W.;

Thence westerly to the quarter corner in the south line of Section 14, T. 3 N., R. 16 W.;

Thence north to the northeast corner of the southeast one-quarter of the southwest one-quarter of Section 14, T. 3 N., R. 16 W.;

Thence west to the northwest corner of the southwest one-quarter of the southwest one-quarter of Section 14, T. 3 N., R. 16 W.;

Thence north to the quarter corner in the westerly line of Section 14, T. 3 N., R. 16 W.;

Thence west to the northwest corner of the northeast one-quarter of the southeast one-quarter of Section 15, T. 3 N., R. 16 W.;

Thence south to the southwest corner of the northwest one-quarter of the southeast one-quarter of Section 15, T. 3 N., R. 16 W.;

Thence west to the northwest corner of the southwest one-quarter of the southeast one-quarter of Section 15, T. 3 N., R. 16 W.;

Thence south to the quarter corner in the south line of Section 15, T. 3 N., R. 16 W.;

Thence west to the southwest corner of the southeast one-quarter of the southwest one-quarter of Section 15, T. 3 N., R. 16 W.;

Thence north to the northwest corner of the northeast one-quarter of the northwest one-quarter of Section 15, T. 3 N., R. 16 W.;

Thence west to the northwest corner of Section 16, T. 3 N., R. 16 W.;

Thence north to the northeast corner of Section 8, T. 3 N., R. 16 W.;

Thence west to the southwest corner of the southeast one-quarter of the southeast one-quarter of Section 6, T. 3 N., R. 16 W.;

Thence north to the northwest corner of the northeast one-quarter of the southeast one-quarter of Section 6, T. 3 N., R. 16 W.;

Thence west to the southeast corner of the southwest one-quarter of the northwest one-quarter of Section 6, T. 3 N., R. 16 W.;

Thence, on projected section lines through the Rancho San Francisco, northerly to the southeast corner of the northwest one-quarter of the northwest one-quarter of Section 31, T. 4 N., R. 16 W.;

Thence east to the southwest corner of the northeast one-quarter of the northeast one-quarter of Section 31, T. 4 N., R. 16 W.;

Thence north to the northwest corner of the northeast one-quarter of the northeast one-quarter of Section 31, T. 4 N., R. 16 W.;

Thence east to the northeast corner of Section 31, T. 4 N., R. 16 W.;

Thence north to the quarter corner in the east line of Section 19, T. 4 N., R. 16 W.;

Thence west to the northwest corner of the northeast one-quarter of the southwest one-quarter of Section 19, T. 4 N., R. 16 W.;

Thence north to the northeast corner of the northwest one-quarter of the northwest one-quarter of Section 19, T. 4 N., R. 16 W.;

Thence west to the northwest corner of Section 23, T. 4 N., R. 17 W.;

Thence north to the point of beginning at the northwest corner of the southwest one-quarter of the southwest one-quarter of Section 14, T. 5 N., R. 17 W., S.B.B. & M.

SEC. 3. The area is hereby divided into three divisions, such divisions being numbered first, second and third divisions.

The first division shall include the northeast portion of the Agency bounded on the south by a line running west from the northeast corner of Section 36, T. 4 N., R. 15 W., S.B.B. & M. to the northwest corner of Section 31 of T. 4 N., R. 15 W., said line being extended westerly to the intersection of the common boundaries of the first, second and third divisions;

and bounded on the west by a north-south line beginning at the quarter corner in the north line of Section 34, T. 5 N., R. 16 W. and extending south to intersect the south boundary of the first division

The second division shall include the southerly portion of the Agency lying south of a line extending from the northeast corner of Section 36, T. 4 N., R. 15 W., thence westerly to the northwest corner of Section 31, T. 4 N., R. 15 W. and projected westerly through the southwest corner of the first division to the westerly boundary of the Agency at the northeast corner of Section 31, T. 4 N., R. 16 W.

The third division shall include the northwesterly portion of the Agency not included in the first and second divisions.

Two directors shall be elected for each division by the voters thereof at the next general agency election following the organization of the agency and one director at large shall be elected at such election by the voters of the agency as a whole. Each director elected and appointed for a division shall be an elector or landowner of real property in the division and a resident of Los Angeles County, California, and each director at large shall be an elector or the owner of real property in the agency and a resident of Los Angeles County, California. Each director elected or appointed for a division is herein called a "divisional director," and the director elected or appointed for the agency at large is herein called "director at large."

SEC. 4. Whenever a sufficient change in the area of the agency occurs which makes it desirable in the opinion of the board of directors of the agency to relocate the boundaries of any division or divisions, the board of directors shall, by resolution, relocate the boundary lines of the division or divisions. Such resolution shall require the vote of at least six members of the board. At the time of or after each annexation of territory to the agency the board of directors shall designate by resolution the division of which such annexed territory shall be a part. No change in division lines shall be made within four (4) months next preceding the election of any divisional director nor shall such change in division lines work a forfeiture of the office of any director. Whenever such change is made in the division lines, each divisional director then in office, until his office becomes vacant by expiration of his term, or otherwise, shall continue to be the director for the division bearing the number of his division as formerly located, even though such divisional director is not a resident or owner of real property within the relocated division.

SEC. 5. The board of directors of the agency organized under this act shall consist of seven members. The Board of Supervisors of Los Angeles County, California, shall appoint the first board of directors, each of whom shall be a resident or owner of real property within the agency who resides in Los Angeles County, California, and shall hold office until his successor is elected. All successors of the first board shall be

elected or chosen at the time and in the manner hereinafter provided.

(a) Each director elected or appointed at the first general agency election shall hold office for the term of four (4) years from and after the date of his taking office as herein provided, and until the election and qualification of his successor; except that the six divisional directors elected or appointed at the first general agency election shall classify themselves by lot, so that three of them shall hold office until the qualification of and taking office by their successors elected at an election held the next succeeding even-numbered year, and so that three shall hold office until the qualification of and taking office by their successors at an election held in the second successive even-numbered year.

(b) The elections of directors shall be held at the time of the direct primary election and shall be consolidated therewith. Each candidate for director who at such election receives votes on a majority of all the ballots cast for candidates for the office for which he seeks nomination shall be elected to such office. If at such primary election, as to any such office, none of the candidates receives such majority, the two candidates who receive the highest number of votes cast on all the ballots cast for candidates for such office, shall be the candidates for such office at the ensuing agency election, which latter election shall be held at the same time as the next succeeding general election and shall be consolidated therewith. Candidates shall declare their candidacy and shall be nominated, election returns shall be canvassed, the election shall be held and conducted, the results shall be declared, and the certificates of election shall be issued, in the same manner as the declaration of candidacy, nomination, election, canvassing of returns, declaration of results, and issuance of certificates of election for county officers are made, declared, held, and conducted, and issued, so far as consistent with the provisions of this act and except as otherwise herein expressly provided. Directors elected hereunder, except the first board of directors, shall take office at the same time provided by the Government Code for county officers. Said election held at the same time of the direct primary election and consolidated therewith shall be known as the general Upper Santa Clara Valley Water Agency election and each other election which may be held by authority of this act or the Elections Code or other law applicable thereto shall be known as a special Upper Santa Clara Valley Water Agency election.

SEC. 6. If, on the 65th day prior to the day fixed for the agency general election, only one person has been nominated for each office of member of the board of directors to be filled at that election, or if no person has been nominated for any one or more of said offices, said board of directors shall by resolution entered in their minutes order that an election shall not be held, and shall immediately request that the board of supervisors of the county in which the agency or a greater

portion thereof is situated, at a regular or special meeting held prior to the day of election, appoint, and the board of supervisors shall thereupon appoint, to the office or offices the person or persons who have been nominated, or if no person or persons have been nominated, any qualified person or persons. The person appointed shall qualify and take office and serve exactly as if elected at an agency general election.

In such case the publication provided for in Article 6 (commencing with Sec. 6580), Chapter 2, Division 5 of the Elections Code shall, instead of calling an election, state that no election is to be held but that the board of supervisors will either appoint those nominated for the positions of directors or appoint a qualified person or persons to the office or offices for which no one has been nominated, as the circumstances may warrant.

SEC. 7. No person shall vote at any agency election held under the provisions of this act who is not a voter within the meaning of the Elections Code, residing in the agency, and in the case of an election of divisional directors in the division of the agency in which the person casts his vote. For the purpose of registering voters who shall be entitled to vote at agency elections, the county clerk or registrar of voters is authorized, in any county in which there is the agency, to indicate upon the affidavit of registration whether the voter is a voter of the agency.

In case the boundary line of the agency crosses the boundary line of a county election precinct only those voters within such agency and within such precinct who are registered as being voters within the agency shall be permitted to vote, and for that purpose the county clerk or registrar of voters is hereby empowered to provide two sets of ballots within such precincts, one containing the names of candidates for office in said agency, and the other not containing such names, and it shall be the duty of the election officers in such precincts to furnish only those persons registered as voters within such agency with the ballots upon which are printed the names of the candidates for office in the agency.

SEC. 8 The provisions of the Elections Code so far as they may be applicable shall govern all general agency elections and all special agency elections, except as in this act otherwise provided.

In counties in which the agency is located the county clerk or registrar of voters is hereby given authority, and he hereby is authorized to have printed upon the official ballots provided for voters at elections for directors a heading in the same form as that provided by the Elections Code for non-partisan officers, which heading shall be marked "Upper Santa Clara Valley Water Agency," with the following subheading: "For Director at Large—Vote for One" and if the office of divisional director is to be voted on in that year in the division in question, then also with the subheading: "For a Member of the Board of Directors, Division ----- (here

inserting the number of the division)—Vote for One.” Beneath each such subheading shall appear the names of the candidates for the office of the agency shown in such subheading, with the appropriate blank space for the writing in of the name of a candidate, if desired by the voters, and with a voting square opposite the space. The ballots thus provided shall be furnished by the precinct officers only to those voters within their respective precincts who shall appear on the register as duly registered voters, within the agency, and in precincts which lie partly within such agency and partly without the precinct board shall be supplied with two kinds of ballots by said county clerk or registrar of voters, one of which shall contain the matters hereinabove set forth for the use of voters of the agency, and the other of which shall be without such heading containing the names of candidates for the office of members of the board of directors, and which shall be furnished to those voters who are not voters of the agency and who are voters of the precinct.

SEC. 9. The board of directors of the agency shall call and canvass all elections involving matters of initiative, referendum and recall and shall call all other elections which it is authorized to canvass.

The governing body calling or conducting any election under the provisions of this act shall fix the compensation to be paid the officers of the election and shall designate the precincts and polling places for each division of the agency and shall appoint the officers of such election, who shall consist of one inspector, one judge, and two clerks, unless in case of consolidated elections, other officers of election are required by law.

The voting precincts for any such election may be established and the boundaries thereof fixed and described by such governing body, or such voting precincts may consist of either the regular election precincts or portions thereof within the agency established for holding state or county elections or a consolidation of any or all of such regular election precincts or portions thereof last established. If any agency election is consolidated with any state or county election, then the voting precincts, polling places, and election officers for the agency election shall be the same as those established for such state or county election.

SEC. 10. Every incumbent of an elective office, whether elected by popular vote for a full term, or chosen by the board of directors to fill a vacancy is subject to recall by the voters of the agency organized under the provisions of this act in accordance with the recall provisions of the Elections Code of the State with reference to cities.

SEC. 11. The board of directors shall be the governing body of the agency. It shall hold its first meeting as soon as possible after the appointment and certification of the first board of directors; it shall choose one of its members president, and shall thereupon provide for the time and place of holding its

meetings and the manner in which its special meetings may be called. All legislative sessions of the board of directors whether regular or special shall be open to the public. A majority of the board of directors shall constitute a quorum for the transaction of business. At its first meeting in the month of January of each odd-numbered year, the board of directors shall choose one of its members president.

SEC. 12. The board of directors shall act only by ordinance, resolution, or motion. On all ordinances the roll shall be called and the ayes and noes recorded in the journal of the proceedings of the board of directors. Resolutions and motions may be adopted by voice vote, but on demand of any member the roll shall be called. No ordinance, motion, or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board. The enacting clause of all ordinances passed by the board shall be: "Be it ordained by the Board of Directors of the Upper Santa Clara Valley Water Agency as follows:". Each of the members of the board of directors shall receive for each attendance at the meetings of the board twenty dollars (\$20). No directors, however, shall receive pay for more than three meetings in any calendar month. Any vacancy in the board of directors shall be filled by a majority of the remaining directors, and the person so chosen shall hold office for the remainder of the unexpired term.

SEC. 13. No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the incorporation of the agency and the legal existence of said agency and all proceedings in respect thereto shall be held to be valid and in every respect legal and incontestable.

SEC. 14. The board of directors shall at its first meeting, or as soon thereafter as practicable, appoint by a majority vote a secretary, treasurer and auditor, and define their duties and fix their compensation. The board may employ such additional assistants and employees, and such engineers, attorneys and professional and other consultants as they may deem necessary to efficiently maintain and operate said agency. Each shall serve at the pleasure of the board.

SEC. 15. The agency incorporated as herein provided, shall have the power to acquire water from the State of California under the State Water Plan and to be a wholesale distributor of such water through a transmission system to be acquired or constructed by the agency, and to carry out these purposes shall have the following powers:

1. To have perpetual succession.
2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction.
3. To adopt a seal and alter it at pleasure.

4. To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the agency.

5. To acquire, or contract to acquire, waterworks or a waterworks system, waters, lands, rights and privileges and construct, maintain and operate conduits, pipelines, reservoirs, works, machinery and other property useful or necessary to store, convey, supply or otherwise make use of water for a waterworks plant or system, and to complete, extend, add to repair or otherwise improve any waterworks or waterworks system acquired by it as herein authorized.

6. To lease of and from any person, firm or public or private corporation, or public agency, with the privilege of purchasing or otherwise, all or any part of water storage, transportation or distribution facilities, existing waterworks or a waterworks system, and to carry on and conduct waterworks or a waterworks system; also to sell for use within the area of the agency at wholesale only water of the agency to cities, to other public corporations and public agencies, and to water corporations as defined in the Public Utilities Code of the State of California, and to any mutual water companies engaged in distributing water to its members for use, without any preference and it may, whenever the board shall find that there is a surplus of water above that which may be required by such consumers within said agency, sell or otherwise dispose of such surplus water to any persons, firms, public or private corporations or public agencies or other consumers.

7. To have and exercise the right of eminent domain and in the manner provided by law for the condemnation of private property for public use, to take any property necessary or desirable for any facility reasonably required for the importation and transmission of water in the area of the agency. In proceedings relative to the exercise of such right, the agency shall have all of the rights, powers and privileges of a city; provided, the agency in exercising such power, shall in addition to the damage for the taking, injury, or destruction of property, also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables or poles of any public utility which is required to be removed to a new location. No action in eminent domain to acquire property or interests therein outside the boundaries of the agency shall be commenced unless the board of supervisors of each affected county has consented to such acquisition by resolution.

8. To issue bonds, borrow money and incur indebtedness as authorized by law or in this act provided; also to refund (by the issuance of the same obligations following the same procedure) or retire any indebtedness or lien that may exist against the agency or property thereof; also to issue warrants to pay the formation expenses of the agency, which warrants may bear interest at a rate not exceeding 6 percent per annum from the date of issue until funds are available to pay the

warrants, and which formation expenses may include fees of attorneys and others employed to conduct the formation proceedings.

9. To issue negotiable promissory notes bearing interest at a rate not exceeding 6 percent per annum; provided, however, that said notes shall be general obligations of the agency payable from revenues and taxes in the same manner as bonds of said agency; and provided further that the maturity shall not be later than three years from the date thereof and that the total aggregate amount of such notes outstanding at any one time may be at least equal to seventy-five thousand dollars (\$75,000) but shall not otherwise exceed the lesser of either one million dollars (\$1,000,000) or 2 percent of the assessed valuation of the taxable property in the agency, or, if said assessed valuation is not obtainable, 2 percent of the county auditor's estimate of the assessed valuation of the taxable property in the agency evidenced by his certificate.

10. To cause taxes to be levied, in the manner hereinafter provided, for the purpose of paying any obligation of the agency, including its formation expenses and any warrants issued therefor.

11. To restrict the use of agency water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of agency water or the use of agency water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the agency; to prohibit the use of such water during such periods for specific uses which the agency may from time to time find to be nonessential.

12. To prescribe and define by ordinance, the restrictions, prohibitions and exclusions referred to in subdivision 11 hereof. Every ordinance relating to the matters referred to in this subdivision shall be in full force and effect forthwith upon adoption, but shall be published pursuant to Section 6061 of the Government Code in full in a newspaper of general circulation, printed, published and circulated in the agency within 10 days after adoption, or if there be no such newspaper it shall be posted within said time in three public places within the agency.

13. To make contracts, to employ labor, and do all acts necessary for the full exercise of the foregoing powers.

14. In case of condemnation proceedings the board shall proceed in the name of the agency.

15. To provide by ordinance of its board of directors for the pensioning of employees and the creation of a special fund for the purpose of paying such pensions, and the accumulation of contributions to said fund from the revenues of the agency, the wages of employees, voluntary contributions, gifts, donations or any source of revenue not inconsistent with the general powers of the board, and to contract with any insurance corporation or any other insurance carrier for the maintenance of a service covering the pension of such employees, and

to provide in such ordinance for the terms and conditions under which such pensions shall be awarded, and for the time and extent of service of employees before such pensions shall be available to them.

16. To join with one or more public agencies, private corporations or other persons for the purpose of carrying out any of the powers of the agency, and for that purpose to contract with such other public agencies or private corporations or persons for the purpose of financing such acquisitions, constructions and operations. Such contracts may provide for contributions to be made by each party thereto and for the division and apportionment of the expenses of such acquisitions and operations, and the division and apportionment of the benefits, the services and products therefrom, and may provide for any agency to effect such acquisitions and to carry on such operations, and shall provide in the powers and methods of procedure for such agency the method by which such agency may contract. Such contracts with other public agencies or private corporations or persons may contain such other and further covenants and agreements as may be necessary or convenient to accomplish the purposes thereof. Particularly, but not exclusively, the agency may contract with the State of California for delivery of water under the State Water Plan. The term "public agency," as used in this subdivision, shall be deemed to mean and include the United States of America or any department or agency thereof, the State of California or any department or agency thereof, a county, city, public corporation, The Metropolitan Water District of Southern California, or other public district of this State. The term "private corporation," as used in this subdivision, shall be deemed to mean and include any private corporation organized under the laws of the United States of America or of this or any other state thereof. Contracts mentioned herein include those made with the United States, under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto or any other act of Congress heretofore or hereafter enacted permitting co-operation. Any such contract with the United States of America or any department or agency thereof, or with any private corporation organized under the laws of the United States of America, by which the agency, or an improvement district thereof, incurs an indebtedness or liability exceeding in any year the income and revenue for such year shall not be executed without the assent of two-thirds of the qualified electors of the agency, or an improvement district thereof, voting at a special election to be held for that purpose, such election to be called and held, so far as practicable, in the same manner as bond elections for the agency. The exact form of such contract need not be available at the time of the special election, but the (1) purpose of the contract; (2) maximum amount of the indebtedness created thereby; (3) maximum term of repayment, and (4) maximum interest rate on such indebtedness shall be

known and included in the proposition or measure submitted to the qualified electors of the agency, or an improvement district thereof, at such special election.

17. To issue bonds under Section 28 of this act for the purpose of providing money required to be paid by this agency to the State of California or any agency thereof under any contract which shall be made with it, or as all or part of the terms and conditions under which the corporate area of the agency may be annexed to and become a part of any metropolitan water district organized under the Metropolitan Water District Act. The amount of said bonds may include expenses of all proceedings for the authorization, issuance and sale of the bonds.

18. To disseminate information concerning the activities of the agency; and in instances in which it shall be found by two-thirds vote of the board of directors to be necessary for the protection of agency rights and properties to disseminate information concerning such rights and properties, also concerning matters which in the judgment of the board may adversely affect such rights and properties; provided, that expenditures during any fiscal year for such purposes shall not exceed one cent (\$.01) for each one hundred dollars (\$100) of assessed valuation of the taxable property in such agency.

SEC. 15.1. The agency shall have the power to construct, operate and maintain works to develop hydroelectric energy, for use by the agency in the operation of its works or as a means of assisting in financing the construction, operation and maintenance of its projects for the control, conservation, diversion and transmission of water and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale to any public agency or private entity, or both, or the federal or state government.

SEC. 15.2. In connection with the construction and operation of the works of the agency, the agency shall have the power to contract for the sale of the right to use falling water for electric energy purposes with any public agency or private entity engaged in the retail distribution of electric energy, for a term not to exceed 50 years.

SEC. 16. All powers, privileges and duties vested in or imposed upon the agency incorporated hereunder shall be exercised and performed by and through the board of directors; provided, however, that the exercise of any and all executive, administrative and ministerial powers may be by said board of directors delegated and redelegated to any of the offices created hereby and by the board of directors acting hereunder.

The board of directors shall have the power:

(1) To fix the time and place or places at which its regular meetings shall be held, and shall provide for the calling and holding of special meetings.

(2) To fix the location of the principal place of business of the agency and the location of all offices and departments maintained hereunder.

(3) To prescribe by ordinance a system of business administration and to create any and all necessary offices and to establish and re-establish the powers and duties and compensation of all officers and employees and to require and fix the amount of all official bonds necessary for the protection of the funds and property of the agency.

(4) To prescribe by ordinance a system of civil service.

(5) To delegate and redelegate by ordinance to officers of the agency power to employ clerical, legal and engineering assistants and labor, and under such conditions and restrictions as shall be fixed by the directors, power to bind the agency by contract.

(6) To prescribe a method of auditing and allowing or rejecting claims and demands.

(7) To prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures or equipment, or the performance or furnishing of labor, materials, or supplies, necessary or convenient for carrying out any of the purposes of this act or for the acquisition or disposal of any real or personal property; provided, that all contracts for any improvement or unit of work, when the cost according to the estimate of the engineer will exceed five thousand dollars (\$5,000), shall be let to the lowest responsible bidder or bidders as provided in this section. The board shall first determine whether the contract shall be let as a single unit for the whole of the work, or divided into severable convenient parts. The board shall advertise for bids by three (3) insertions in a daily newspaper of general circulation or by two (2) insertions in a weekly newspaper of general circulation printed and published in the agency, inviting sealed proposals for the construction or performance of the improvement or work. The call for bids shall state whether the work shall be performed in one unit or divided into parts. The work may be let under a single contract or several contracts, as stated in such call. The board shall require the successful bidders to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material. The bonds shall comply with Chapter 3 (commencing with Section 4200) of Division 5 of Title 1 of the Government Code. The board may reject any and all bids. In the event all proposals are rejected or no proposals are received, or the estimated cost of the work does not exceed five thousand dollars (\$5,000), or the work consists of channel protection, maintenance work, or emergency work when necessary in order to protect life and property from impending flood damage, the board may have the work done by force account without advertising for bids. The agency may purchase in the open market without advertising for bids, materials and supplies

for use in any work, either under contract or by force account; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds five thousand dollars (\$5,000), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

(8) To fix the rates at which water shall be sold, as provided herein, and to establish uniform rates for like classes of service throughout the agency, but any special water rate fixed in accordance with terms and conditions of annexation fixed by the board under the provisions of Section 36 or 37 hereof, may be deemed to be a rate for a different class or condition of service.

SEC. 17. A finding by the board of directors upon the existence, threat, or duration of an emergency or shortage of water or upon the matter of necessity or any other matter or condition referred to in subdivision 11 or 12 of Section 15 of this act, shall be made by resolution or ordinance, and shall be prima facie evidence of the fact or matter so found, and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding shall have been made by the board by resolution or ordinance. Such finding shall be received in evidence in any civil or criminal proceeding in which it may be offered, and shall be proof and evidence of the fact or matter found until rebutted or overcome by other sufficient evidence received in such proceeding. A copy of any resolution or ordinance setting forth such finding shall, when certified by the secretary of the agency, be evidence that the finding was made by the agency as shown by the resolution or ordinance and certification.

SEC. 18. From and after the publication or posting of any ordinance as provided in subdivision 12 of Section 15 of this act, it is hereby declared to be and it shall be a misdemeanor for any person, firm or corporation to use or apply water received from the agency contrary to or in violation of such restriction or prohibition, until such ordinance shall have been repealed or such emergency or threatened emergency shall have ceased, and upon conviction thereof such person, firm or corporation shall be punished by being imprisoned in the county jail for not more than 30 days or by fine of not more than three hundred dollars (\$300), or by both such fine and imprisonment.

SEC. 19. The agency may at any time after execution of any contract authorized by subdivision 16 of Section 15 bring an action in the superior court in the county where the greater part of the land of the agency is situated to determine the validity of the contract. The action is in rem. Jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in a newspaper of general circulation published in the county where the action is pending and designated by the court in

which the action is pending. Jurisdiction is complete 10 days after the completion of the publication of summons. Before the expiration of the 30 days after jurisdiction is acquired any person interested may appear and contest the validity of the contract. If no action has been brought by the agency pursuant to this section the agency taxpayer may at any time within 30 days after the execution of such contract, or within 30 days after the effective date of this act, whichever is later, bring an action in such superior court to determine the validity of the contract. The agency shall be the defendant. If more than one action is pending at the same time concerning similar contests provided for by this section, they shall be consolidated and tried together. The rules of pleading and practice not inconsistent with the provisions of this section are applicable to all actions provided for by this section. In an action provided for by this section the court shall disregard any irregularity or omission which does not affect the substantial rights of the parties. The action shall be speedily tried. The judgment shall declare the contract either valid or invalid. The motion for a new trial of any action provided by this section shall be heard and determined within 10 days from the filing of the notice of intention. The costs of any hearing or contest may be allowed and apportioned between the parties or taxed to the losing party. Any party may appeal at any time within 30 days after the entry of the judgment. The appeal shall be heard and determined within three months from the taking of the appeal. No contest of any thing or matter herein provided shall be made other than in the time and manner herein specified.

SEC. 20. Except as herein provided, no director of the agency shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board of directors, and no officer or employee of the agency shall in any manner be interested, directly or indirectly, in any contract made by such officer or employee pursuant to discretionary authority vested in him, or in the benefits to be derived therefrom. For any violation of this section, such director or other officer or employee of the agency shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment. Neither this section nor any other law shall, however, be deemed to invalidate any contract or instrument, nor to establish or define any misdemeanor or other crime, merely because such director or other officer or employee shall have any interest in such contract or instrument, or shall derive any benefit therefrom in any of the following cases:

(a) If such director or other officer or employee shall own or control, directly or indirectly, not more than 5 per centum of the outstanding stock or securities of the contracting corporation; or

(b) If such contract or instrument shall be entered into pursuant to the provisions of any ordinance or regulation of the agency of uniform application, and which ordinance or regulation shall have become effective prior to the making or execution of such contract or instrument.

SEC. 21. The president and secretary in addition to the respective duties imposed on them by law shall perform such duties as may be imposed on them by the board of directors. The treasurer, or such other person or persons as may be authorized by the board of directors, shall draw checks or warrants to pay demands when such demands shall have been audited and approved in the manner prescribed by the board of directors.

The board of directors shall designate a depository or depositories to have the custody of the funds of the agency, all of which depositories shall give security sufficient to secure the agency against possible loss, and who shall pay the warrants drawn by the treasurer for demands against the agency under such rules as the directors may prescribe.

The general manager, secretary and treasurer, and all other employees or assistants of said agency who may be required so to do by the board of directors, shall give such bonds to the agency conditioned for the faithful performance of their duties as the board of directors from time to time may provide. The premiums on such bonds shall be paid by the agency.

SEC. 22. The board of directors shall have power to construct works along and across any stream of water, water-course, street, avenue, highway, canal, ditch or flume, or across any railway which the route of said works may intersect or cross; provided, such works are constructed in such manner as to afford security for life and property, and said board of directors shall restore the crossings and intersections to their former state as near as may be, or in a manner not to have impaired unnecessarily their usefulness. The right-of-way is hereby given, dedicated and set apart to locate, construct and maintain such works along and across any street or public highway and over and through any of the lands which are now or may be the property of this State, and to have the same rights and privileges appertaining thereto as have been or may be granted to cities within the State. Any use, under this section, of a public highway now or hereafter constituted a state highway shall be subject to the provisions of Chapter 3 (commencing with Section 660) of Division 1 of the Streets and Highways Code.

SEC. 23. All claims for money or damages against this agency are governed by Chapter 2 (commencing with Section 700) of Division 3.5 of Title 1 of the Government Code, except as provided therein, or by other statutes or regulations expressly applicable thereto.

SEC. 24. No director or other officer, agent, or employee of the agency shall be liable for any act or omission of any officer, agent or employee appointed or employed by him unless

he had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which such person was appointed or employed or unless he retains the inefficient or incompetent person after notice of the inefficiency or incompetency.

The agency may employ counsel to defend any litigation brought against any director or other officer, agent, or employee thereof, on account of his official action, and the fees and expenses involved therein shall be a lawful charge against the agency.

If any director or other officer, agent, or employee of the agency is held liable for any act or omission in his official capacity, and any judgment is rendered thereon, the agency, except in case of his actual fraud or actual malice, shall pay the judgment without obligation for repayment by such director or other officer, agent or employee.

SEC. 25. The board of directors, so far as practicable, shall fix such rate or rates for water in the agency and in each improvement district therein as will result in revenues which will pay the operating expenses of the agency, and the improvement district, provide for the payment of the cost of water received by the agency under the State Water Plan (which shall not be less than the estimated average cost per acre-foot paid by the agency to the State of California over the repayment period provided in any contract for the supply of water entered into between the agency and the State of California), provide for repairs and depreciation of works, provide a reasonable surplus for improvements, extensions, and enlargements, pay the interest on any bonded debt, and provide a sinking or other fund for the payment of the principal of such debt as it may become due. Said rates for water in each improvement district may vary from the rates of the agency and from other improvement districts therein.

SEC. 26. If the revenues of the agency, or any improvement district therein, will be inadequate for any cause to pay the operating expenses of the agency, provide for repairs and depreciation of works owned or operated by it, and to meet all obligations of the agency, including principal of or interest on any bonded debt of the agency, or any improvement district thereof, as it becomes due, then the board of directors of this agency shall provide for the levy and collection of a tax sufficient to raise the amount of money determined by such board of directors to be necessary for the purpose of paying such charges and expenses, as well as providing the funds required under Section 25 of this act.

SEC. 27. The board of directors shall determine the amounts necessary to be raised by taxation during the fiscal year and shall fix the rate or rates of tax to be levied which will raise the amounts of money required by the agency, and within a reasonable time previous to the time when the board of supervisors is required by law to fix its tax rate, the board of directors shall certify to the board of supervisors the rate or rates so fixed and shall furnish to the

board of supervisors a statement in writing containing the following: (a) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for the payment of the principal of and interest on any bonded debt of the agency or of an improvement district thereof as will become due before the proceeds of a tax levied at the next general tax levy will be available; (b) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for all other purposes of the agency. The board of directors shall direct that at the time and in the manner required by law for the levying of taxes for county purposes, such board of supervisors shall levy, in addition to such other tax as may be levied by such board of supervisors, at the rate or rates so fixed and determined by the board of directors, a tax upon the property within the agency, or improvement district thereof benefited by the bonded debt, as the case may be, and it is made the duty of the officer or body having authority to levy taxes within each county to levy the tax so required. Taxes for the payment of the interest on or principal of any bonded debts shall be levied on the property within the agency, or improvement district thereof, benefited by the bonded debt, as determined by the board of directors in the resolution declaring the necessity to incur the debt. Taxes for other purposes of the agency shall be levied on all property in the district or portion thereof subject to the particular tax. It shall be the duty of all county officers charged with the duty of collecting taxes to collect such tax in the time, form, and manner as county taxes are collected, and when collected to pay the same to the agency. Taxes for the payment of a bonded debt and the interest thereon shall be a lien on all the property benefited thereby as stated in the resolution of the board of directors declaring the necessity to incur the debt. All taxes for other purposes of the agency shall be a lien on all the property in the agency subject to the respective tax. Agency taxes, whether for payment of a bonded indebtedness and the interest thereon or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

SEC. 28. Whenever the board of directors deems it necessary for the agency to incur a bonded indebtedness for the acquisition, construction, completion, or repair of any or all improvements, works or property mentioned in this act, the board shall, by resolution, so declare and call an election to be held in said agency for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of said agency. Said resolution shall state: (a) the purpose for which the proposed debt is to be incurred, which may include expenses of all proceedings

for the authorization, issuance and sale of the bonds; (b) the amount of debt to be incurred; (c) the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (d) the maximum rate of interest to be paid, which shall not exceed 5 percent per annum, payable semiannually, except that interest for the first year may be payable at the end of said year; (e) the measure to be submitted to the voters; (f) the date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred; and (g) the designation of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct. The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing pursuant to Section 6066 of the Government Code the resolution calling the election, the last publication to be made not less than two weeks prior to the date of the proposed election, in at least one newspaper published in such agency, then such resolution shall be posted in three public places in such agency not less than two weeks prior to the date of the proposed election. No other notice of such election need be given. The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code, so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted.

Any action or proceeding, wherein the validity of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto shall be held to be valid and in every respect legal and incontestable.

SEC. 29. Whenever the board of directors deems it necessary to incur a bonded indebtedness for the acquisition, construction, completion, or repair of any or all improvements, works or property mentioned in this act and to provide for such bonded indebtedness to be payable from taxes levied upon less than all of the agency, the board shall, by resolution, so declare and state: (a) the purpose for which the proposed debt is to be incurred; (b) the amount of debt to be incurred, which may include expenses of all proceedings for the authorization, issuance and the sale of the bonds; (c) that the board intends to form an improvement district of a portion of the agency

which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, and to call an election in such proposed improvement district on a date to be fixed, for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the agency for said improvement district; (d) that taxes for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable property in the improvement district; (e) that a general description of the proposed improvement, together with a map showing the exterior boundaries of said proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement is on file with the secretary of the agency and is available for inspection by any person or persons interested; (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the proposed improvement and the amount of debt to be incurred; and (g) that at the time and place specified in the resolution any person interested, including all persons owning property in the agency or in the proposed improvement district, will be heard. Notice of said hearing shall be given by publishing a copy of the resolution pursuant to Section 6066 of the Government Code prior to the time fixed for the hearing in a newspaper printed and published in the agency, if there is a newspaper printed and published in such agency. Such notice shall also be given by posting a copy of said resolution in six public places within the proposed improvement district at least two weeks before the time fixed for said hearing.

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the agency or within the proposed improvement district, may appear and present any matters material to the questions set forth in the resolution declaring the necessity for incurring the bonded indebtedness. The board shall have the power to change the purpose for which the proposed debt is to be incurred, or the amount of bonded debt to be incurred, or the boundaries of said proposed improvement district, or one or all of said matters; provided, however, that said board shall not change such boundaries so as to include any territory which will not, in its judgment, be benefited by said improvement.

The purpose, amount of bonded debt or boundaries shall not be changed by said board except after notices of its intention to do so, given by publication pursuant to Section 6061 of the Government Code in a newspaper printed and published in said agency, if there is a newspaper printed and published in such agency, and by posting in six public places within said

proposed improvement district. Said notice shall state the changed purpose and debt proposed and that the exterior boundaries as proposed to be changed are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, and specify the time and place for hearing on such change, which time shall be at least 10 days after publication or posting of said notice. At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the agency or the proposed improvement district, may appear and present any matters material to the changes stated in the notice. At the conclusion of the hearing the board shall by resolution determine whether it is deemed necessary to incur the bonded indebtedness, and, if so, the resolution shall also state the purpose for which said proposed debt is to be incurred, the amount of the proposed debt, that the exterior boundaries of the portion of the agency which will be benefited are set forth on a map on file with the secretary of the agency which map shall govern for all details as to the extent of the improvement district, and that said portion of the agency set forth on said map shall thereupon constitute and be known as "Improvement District No. _____ of Upper Santa Clara Valley Water Agency," and the determinations made in said resolution shall be final and conclusive. After the formation of such improvement district within the agency pursuant to this section, all proceedings for the purpose of a bond election shall be limited, and shall apply only to the improvement district, and taxes for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable property in the improvement district.

After the board has made its determination of the matters required to be determined by said last mentioned resolution, and if the board deems it necessary to incur the bonded indebtedness, the board shall by a further resolution call a special election in said improvement district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the agency for said improvement district. Said resolution shall state: (a) that the board deems it necessary to incur the bonded indebtedness; (b) the purpose for which the bonded indebtedness will be incurred; (c) the amount of debt to be incurred; (d) the improvement district to be benefited by said indebtedness, as set forth in the resolution making determinations, and that a map showing the exterior boundaries of said improvement district is on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district; (e) that taxes for the payment of such bonds and the interest thereon shall be levied exclusively upon the taxable property in said improvement district; (f) the maximum term

the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (g) the maximum rate of interest to be paid, which shall not exceed 5 percent per annum payable semiannually, except that interest for the first year may be payable at the end of the said year; (h) the measure to be submitted to the voters; (i) the date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred; and (j) the designation of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct.

The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing pursuant to Section 6066 of the Government Code the resolution calling the election prior to the date of the proposed election in at least one newspaper printed and published in the agency, if there is a newspaper printed and published in such agency. Such resolution shall also be posted in three public places in such improvement district not less than two weeks prior to the date of the proposed election. No other notice of such election need be given.

The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted.

Any action or proceeding, wherein the validity of the formation of the improvement district or of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto, including the formation of the improvement district, shall be held to be valid and in every respect legal and incontestable.

SEC. 30. Any portion of the agency whether contiguous or not to an improvement district thereof may be annexed to said improvement district in the following manner. A petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by holders of title to sixty percent (60%) or more of the land in the portion proposed to be annexed, which land as so represented in said petition shall have an assessed valuation of not less than fifty percent (50%) of the land so proposed to be annexed. The petition shall contain the following: (a) a description of the

area proposed to be annexed, which may be made by reference to a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the area proposed to be annexed, or in any other definite manner; (b) the terms and conditions upon which said proposed area may be annexed as theretofore determined by resolution adopted by the board of directors of the agency; and (c) a prayer that the board of directors declare such area to be annexed to the improvement district. Said petition shall be accompanied by a certified check payable to the order of the agency in sufficient sum to reimburse said agency for expenses of processing and publishing the petition and preparing and making the filings required by law.

Within 10 days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the required number of property owners; and, if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of property owners, or is not so signed, he shall certify that the same is sufficient, or insufficient, as the case may be.

If by the certificate of the secretary of the agency the petition is found to be insufficient, said petition may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary of the agency shall within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If by the certificate of the secretary such petition or petition as amended, is shown to be sufficient the secretary shall cause notice of hearing on the petition to be published and posted without delay.

The text of said petition shall be published pursuant to Section 6066 of the Government Code prior to the time at which the same is to be presented to the board of directors of the agency in at least one newspaper printed and published in the agency, if there is a newspaper printed and published in such agency; together with a notice stating the time and place of the meeting at which the same will be presented. When contained upon one or more instruments one copy only of such petition need be published. No more than five of the names attached to said petition need appear in said publication of said petition and notice, but the number of signers shall be stated. Said notice and petition shall also be posted in three public places in the improvement district and three public

places in the area proposed to be annexed, at least two weeks prior to the hearing.

The board of directors of the agency shall proceed to hear the petition at the time and place fixed therefor and any person residing within the agency or improvement district or owning taxable property in said agency or improvement district shall be entitled to appear and be heard at such hearing. Such hearing may be continued from time to time by the board of directors of the agency. At the conclusion of the hearing, and if the board of directors finds and determines from the evidence presented at said hearing that the area proposed to be annexed to an improvement district will be benefited thereby, and that the improvement district to which said area proposed to be annexed will also be benefited thereby and will not be injured thereby, then and in such case the board of directors of the agency may, by resolution, approve such annexation, describing the territory so annexed, which may be by reference to a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the annexed area, or in any other definite manner, and approve the terms and conditions of annexation as theretofore determined by resolution of the board of directors.

From and after the date of the adoption of such resolution the area named therein shall be deemed added to and shall form a part of said improvement district and the taxable property therein shall be subject to taxation thereafter for the purposes of said improvement district, including the payment of the principal of and interest on bonds and other obligations of such improvement district authorized and outstanding at the time of said annexation as if said annexed property had always been a part of said improvement district, and the board of directors of the agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

Any action or proceeding wherein the validity of any such annexation is contested, questioned or denied must be commenced within three months after the date of issuance by the Secretary of State of his certificate; otherwise said annexation shall be held to be valid and in every respect legal and incontestable.

SEC. 31. If from the returns it appears that more than two-thirds of the votes cast in an election held pursuant to the provisions of Section 28 or of Section 29 of this act, were in favor of and assented to the incurring of such indebtedness, then the board of directors may, by resolution, at such time or times as it deems proper, issue bonds of the agency for the whole or any part of the amount of the indebtedness so authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of such bonds authorized shall have been issued. Said full amount of bonds may be divided

into two or more series and different dates fixed for each of the series. The maximum term which the bonds of any series shall run before maturity shall not exceed 40 years from the date of each series respectively.

The board of directors shall, by resolution, prescribe the form of the bonds and the form of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five years from the date of the bonds or the date of the bonds of each series respectively. The bonds shall bear interest at a rate or rates not to exceed five percent (5%) per annum, payable semiannually, except that interest for the first year may be payable at the end of said year. The board of directors may also provide for call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon.

The denomination of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one hundred dollars (\$100). The principal and interest shall be payable in lawful money of the United States at the office of the treasurer of the district or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

The bonds shall be dated, numbered consecutively, and be signed by the president and treasurer of the agency, countersigned by the secretary of the agency, and the official seal of the agency attached. The interest coupons of such bonds shall be signed by the treasurer of said agency. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of said signatures or countersignatures to said bonds shall be manually affixed.

If the bond election proceedings have been limited to and have applied only to an improvement district within said agency, said bonds are bonds of the agency and shall be issued in the name of the agency and shall be designated "Bonds of the Upper Santa Clara Valley Water Agency for Improvement District No. _____" and each bond and all interest coupons thereof shall state that taxes levied for the payment thereof shall be levied exclusively upon the taxable property in said improvement district.

Before selling the bonds, or any part thereof, the board of directors shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if said board determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

The proceeds arising from the sale of bonds shall be paid into the treasury of the agency and placed to the credit of a special improvement fund and expended only for the purpose for which the indebtedness was created; provided, however, that when said purpose has been accomplished any moneys remaining in said special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Said remaining moneys remaining from the sale of bonds of the agency may also be used for some other agency purpose. Such moneys remaining from the sale of bonds of the agency for an improvement district therein may also be used for any purpose which will benefit the property in the improvement district. Said moneys may not be used for said other agency purpose or improvement district purpose until two-thirds of the qualified voters of said agency or improvement district have consented thereto at a special election called in said agency or improvement district by the board of directors. Notice of said election shall be given in the manner provided for bond elections in said agency or improvement district, as the case may be, and in other respects the election shall be conducted as are other agency elections.

SEC. 32. Any bonds issued by the agency are hereby given the same force, value and use as bonds issued by any city and shall be exempt from all taxation within the State of California

SEC. 33. Whenever the board of directors deems it necessary to form an improvement district of a portion of the agency for a purpose other than the incurring of bonded indebtedness under Section 29 of this act it shall by resolution so declare and state: (a) the purpose for which the proposed improvement district is to be formed, (b) the estimated expense of carrying out said purpose, (c) that the board intends to form an improvement district of a portion of the agency which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, (d) that taxes for carrying out said purpose shall be levied exclusively upon the taxable property in said proposed improvement district, (e) that a map showing the exterior boundaries of said proposed improvement district, with relation to the territory immediately contiguous thereto, is on file with the secretary of the agency and is available for inspection by any person or persons interested, (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the purpose for which it is to be formed, and the estimated expense of carrying out said purpose and (g) that at said time and place any person interested, including all persons owning property in the agency or in the proposed improvement district will be heard. Notice of said hearing shall be given by publishing a copy of the resolution pursuant to Section 6066

of the Government Code prior to the time fixed for the hearing in a newspaper circulated in the agency, if there is a newspaper circulated therein. Said notice shall also be given by posting a copy of said resolution in three public places within the proposed improvement district for at least two weeks before the time fixed for said hearing.

At the time and place so fixed, or at any time or place to which the hearing is adjourned, the board shall proceed with the hearing at which hearing any person interested, including all persons owning property in the agency, or in the proposed improvement district, may appear and present any matters material to the questions set forth in the resolution. At the conclusion of the hearing the board shall by resolution determine whether it is necessary to form said improvement district, and, if so, the resolution shall also state the purpose for which the proposed improvement district is to be formed, estimated expense of carrying out said purpose, that the exterior boundaries of the portion of the agency which will be benefited are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district, and that said portion of the agency set forth on said map, shall thereupon constitute and be known as "Improvement District (A, B, C, or other letter designation) of the Upper Santa Clara Valley Water Agency," and the determinations made in said resolution shall be final and conclusive. After the formation of such improvement district within the agency pursuant to this section all taxes levied for the carrying out of said purpose shall be levied exclusively upon the taxable property in the improvement district.

A copy of the resolution forming the improvement district shall be published pursuant to Section 6066 of the Government Code in a newspaper printed and published in the agency, if there is a newspaper printed and published in the agency, and a copy of said resolution shall also be posted in three public places within the proposed improvement district for at least two weeks. Said resolution shall not be effective until the 31st day after completion of said publication and posting. If before said effective date a petition signed by not less than 10 percent of the voters of the proposed improvement district requesting that an election be held on the formation thereof is presented to the board of directors, said board shall call a special election in the proposed improvement district for the purpose of submitting the question of the formation of the improvement district to the voters of said proposed improvement district.

The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing the resolution calling the election pursuant to Section 6066 of the Govern-

ment Code prior to the date of the proposed election, in at least one newspaper printed and published in the agency, if there is a newspaper printed and published in such agency. Such resolution shall also be posted in three public places in such improvement district not less than two weeks prior to the date of the proposed election. No other notice of such election need be given.

The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the elections shall have otherwise been fairly conducted.

If from such returns it appears that a majority of the votes cast at such election were in favor of the formation of such improvement district, the formation of such improvement district shall be complete.

Any action or proceeding wherein the validity of the formation of the improvement district or of any of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the effective date of the resolution forming such district, or if an election is held, within three months from the date of such election, otherwise the formation of the improvement district and all proceedings in relation thereto, shall be held to be valid and in every respect legal and incontestable.

SEC. 34. The board of directors may advance general funds of the agency to accomplish the purposes of an improvement district formed in accordance with Section 29 or 33 and, if the improvement district is formed under Section 29, may repay the agency from the proceeds of the sale of bonds authorized for such purpose, or if the improvement district is formed under Section 33 may, in the formation of such improvement district, provide that the agency shall be repaid with interest at not to exceed 5 percent from the special taxes levied exclusively upon the taxable property in said improvement district.

SEC. 35. Interest on any bonds issued by the agency coming due before the proceeds of a tax levied at the next general tax levy after the sale of said bonds are available, may be paid from the proceeds of the sale of such bonds; provided that not more than five percent (5%) of the proceeds of any sale of the bonds shall be used for said purpose.

SEC. 36. Land not a part of the agency whether or not contiguous to it or to other portions added to the agency, and consisting of any portion of the county wherein the agency was formed or of any municipality therein, or of land in any county contiguous to the county wherein the agency was formed

or of any municipality therein, may be included within the agency. Such annexation shall occur in the following manner. A petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by voters residing within the boundaries of the area proposed to be annexed equal in number to at least 10 per centum of the number of such voters voting for all candidates for the Office of Governor of this State at the last general election at which a Governor was elected prior to the filing of such petition. Such petition shall set forth and describe the boundaries of the area proposed to be annexed and shall contain a prayer that such area be annexed to such agency.

The text of such petition shall be published once a week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time at which the same is to be presented to the board of directors of the agency in at least one, but not to exceed three, newspapers printed and published in such county, together with a notice stating the time of the meeting at which the same will be presented. When contained upon one or more instruments, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in said publication of said petition and notice, but the number of signers shall be stated.

Within 10 days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the requisite number of voters; and if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of voters or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be.

If, by the certificate of the secretary of the agency, the petition is found to be insufficient, he shall also certify to the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary of the agency shall, within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If his certificate shall show any such petition, or such petition as amended, to be insufficient, it shall be filed by him with the board of directors of the agency and kept as a public record, without prejudice, however, to the filing of a new petition to the same effect. But if, by the certificate of the

secretary, such petition, or petition as amended, is shown to be sufficient, the secretary shall present the same to the board of directors, without delay.

If any supplemental petition be filed, all the signatures appended to the petition or to the supplemental petition or petitions shall be considered in determining the number of voters signing the petition.

After an election for the annexation of such area to the agency the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

Such petition may be granted by ordinance of the board of directors of such agency. In granting such petition, such board of directors may fix in said ordinance the terms and conditions upon which such annexation may occur, and such terms and conditions may provide, among other things, for the levy by such agency of special taxes upon taxable property within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied by such agency, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors, in fixing such terms and conditions, shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. Such terms and conditions also may provide, among other things, that a special water rate may be fixed from time to time by the board of directors for the area or areas proposed to be annexed. Such terms and conditions also may further provide that the taxable property in the annexed area shall be subject to taxation to the extent set forth in such terms and conditions for the purpose of the payment of bonds and other obligations of such agency at the time authorized or outstanding. If such petition is granted the proposition of such annexation subject to the terms and conditions so fixed, shall be submitted to the vote of the voters in the proposed addition, at an election called by the board of directors and held, as herein provided, within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in a newspaper of general circulation published in the county once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week prior to the date fixed for such election. Such notice shall describe the boundaries of the area or areas so proposed to be annexed and shall designate such territory by some appropriate name, or other words of identification, by which such territory may be referred to and indicated upon the ballot to be used at any election at which the question of such annexation is submitted, as in this act provided. Such notice also shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. The measure so submitted at such election shall be stated on the ballot substantially as follows: "Shall _____ (giving the name or other designation of the

territory proposed to be annexed, as stated in the notice of election) be annexed to the Upper Santa Clara Valley Water Agency, subject to the terms and conditions fixed by the board of directors of said agency?" At the right of such proposition there shall be printed the words "Yes" and "No" with voting squares. The board of directors shall canvass the votes cast at such election and if such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board of directors shall certify that fact to the Secretary of State and to the county recorder of the county in which such agency is located. Upon receipt of such last-mentioned certificate, the Secretary of State shall within 10 days, issue his certificate, reciting the passage of said ordinance and the addition of said area or areas to said agency. A copy of said certificate shall be transmitted to, and filed with the county clerk of the county in which such agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed added to, and shall form a part of, said agency, and the taxable property therein shall be subject to taxation thereafter for the purposes of said agency, and the board of directors of such agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

SEC. 37. Uninhabited territory within a county in which the agency is situated may be added to such agency pursuant to the provisions of this section. For the purposes hereof, territory shall be deemed uninhabited if less than 12 voters reside therein at the time of the filing of the petition for annexation or the initiation of proceedings by resolution of the board. Such uninhabited territory, whether consisting of unincorporated territory or of incorporated territory or of both such unincorporated and incorporated territory, may consist of one or more parcels, which need not be contiguous one with the other or with the agency.

Proceedings for the annexation of uninhabited territory to the agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of not less than one-fourth of the land in such territory by area and by assessed value as shown on the last equalized assessment roll of the county in which such territory is situated. A guardian, executor, administrator, or other person holding property in a trust capacity under appointment of court, may sign any petition or protest provided for in this section, when authorized by the proper court, which authorization may be made without notice. The last equalized assessment roll of said county is prima facie evidence of the ownership of the land or lands lying within such territory proposed to be annexed. Such petition shall set forth and describe the boundaries of the area proposed to be annexed and shall contain a prayer that such area be annexed to such agency pursuant to the provisions of this section.

The secretary shall present such petition to the board of directors of the agency at its next meeting, and said board, without delay, shall pass a resolution giving notice of the proposed annexation. Said resolution shall state that such petition has been filed, shall set forth and describe the boundaries of the territory proposed to be annexed, shall contain the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the annexation of such territory, or to the annexation of such territory upon such terms and conditions, as the case may be, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

The board of directors of the agency by resolution may initiate proceedings for the annexation of uninhabited territory to such agency. Such resolution shall declare that proceedings have been initiated by the board of directors under the provisions of this section, shall state the reason for proposing such annexation, shall set forth and describe the boundaries of the territory proposed to be annexed, shall contain the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the annexation of such territory, or the annexation of such territory upon such terms and conditions, as the case may be, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

Said hearing shall be commenced not less than 20 nor more than 40 days after the passage of the resolution of the board of directors. The secretary of the agency shall cause the text of the resolution to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers printed and published in the agency.

After the date of issuance by the Secretary of State of his certificate reciting the passage of the ordinance approving the annexation and the addition of the uninhabited territory to the agency, the sufficiency of the petition or resolution shall not be subject to judicial review or be otherwise questioned.

At any time prior to the hour set for the hearing of protests, any owner of property within the territory proposed to be annexed may file with the secretary of the agency written protest against the annexation, or against the annexation upon the terms and conditions specified in the resolution as the case may be. The protest shall state the name of the owner of the property affected, and the description and area of such property in general terms. At the hearing, which may be adjourned from time to time, the board of directors shall hear and pass

upon all protests so filed. If such protests are so filed by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll of the county, further proceedings shall not be taken. If such protest is not made, the ordinance approving such annexation shall set forth and describe the boundaries of the territory so annexed and the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized. If the board of directors disapproves the annexation, or the annexation subject to such terms and conditions, as the case may be, a new proceeding to annex any of the same territory shall not be initiated under this section for a period of 12 months from the effective date of the ordinance.

The board of directors may approve the annexation of such territory upon terms and conditions fixed by the board in the manner hereinafter provided. Such terms and conditions may provide, among other things, for the levy by such agency of special taxes upon taxable property within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied by such agency, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors, in fixing such terms and conditions, shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. Such terms and conditions also may provide, among other things, that a special water rate may be fixed from time to time by the board of directors for the area or areas proposed to be annexed. Such terms and conditions also may further provide that the taxable property in the annexed area shall be subject to taxation to the extent set forth in such terms and conditions for the purpose of the payment of bonds and other obligations of such agency at the time authorized or outstanding. The board shall propose such terms and conditions either in the resolution adopted subsequent to the filing of a petition for annexation or in the resolution initiating the proceedings, as the case may be, or in a resolution adopted by the board at the hearing. Terms and conditions proposed in a prior resolution may be amended and the amended terms and conditions proposed in a resolution adopted by the board at the hearing. If such terms and conditions or amended terms and conditions, are proposed by the board in a resolution adopted at the hearing, the board shall adjourn the hearing for not less than 20 nor more than 40 days, to a time and place to be fixed in such resolution, and said resolution shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the adjourned hearing, written protest to the annexation of such territory upon such terms and conditions. The secretary of the agency shall cause the text of the resolution to be published for the

time and in the manner required for publication of the resolution giving notice of the original hearing. If prior to the hour set for the adjourned hearing, written protests, in the form hereinabove prescribed, to the annexation of such territory subject to such terms and conditions, are filed with the secretary of the agency by the owners of one-half of the value of said territory as shown by the last equalized assessment roll of the county, further proceedings shall not be taken. If such protest is not made, the board of directors shall by ordinance approve or disapprove the annexation. If approved, such annexation shall be subject to the terms and conditions, or amended terms and conditions, so proposed by resolution of the board, which terms and conditions shall be set forth in the ordinance.

When an ordinance approving annexation of uninhabited territory becomes effective, the president and secretary of the board of directors shall file with the Secretary of State a certified copy of the ordinance. Upon receipt of the certified copy of the ordinance, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the addition of said area or areas to said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerk of the county in which such agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed added to, and shall form a part of said agency, and the taxable property therein shall be subject to taxation thereafter for the purposes of said agency, and the board of directors of such agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

Notwithstanding the eligibility of any territory for annexation to the agency pursuant to the provisions of this section, the procedure herein prescribed shall not be deemed exclusive and such territory may be annexed to such agency as a separate parcel, or as part of a larger parcel, of territory annexed under the provisions of Section 36 of this act.

SEC. 38. Territory included within the agency may be excluded from such agency. Such territory may consist of one or more parcels, which need not be contiguous one with the other.

Proceedings for the exclusion of territory from the agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by voters residing within the boundaries of the area proposed to be excluded equal in number to at least ten (10) per centum of the number of such voters voting for all candidates for the Office of Governor of this State at the last general election prior to the filing of such petition; provided, that where one or more cities, or parts thereof, are included in the areas so proposed to be excluded, such petition must be signed by at least ten (10) per centum

of the voters of each such city, or part thereof, so voting at such election. Such petition shall set forth and describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion and shall contain a prayer that such area be excluded from the agency.

Within ten (10) days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the requisite number of voters; and if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of voters, or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be.

If, by the certificate of the secretary of the agency, the petition is found to be insufficient, he shall also certify to the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate. The secretary of the agency shall, within ten (10) days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If any supplemental petition be filed, all the signatures appended to the petition or to the supplemental petition or petitions shall be considered in determining the number of voters signing the petition.

If his certificate shall show any such petition, or such petition as amended, to be insufficient, it shall be filed by him with the board of directors of the agency and kept as a public record, without prejudice, however, to the filing of a new petition to the same effect. But if, by the certificate of the secretary, such petition, or petition as amended is shown to be sufficient, the secretary shall present the same to the board of directors without delay.

The text of such petition shall be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks, before the time at which the same is to be presented to the board of directors of the agency in at least one, but not to exceed three, newspapers printed and published in such agency, together with a notice stating the time of the meeting at which the same will be presented. When contained upon more than one instrument, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in such publication of said petition and notice, but the number of signers shall be stated.

After an election for the exclusion of such area from the agency the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

The board of directors of the agency, by resolution, may initiate proceedings for the exclusion of territory from such agency. Such resolution shall describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion, shall require all persons interested in the proposed exclusion to appear before the board and be heard as to why said area should not be so excluded, shall fix the time of the meeting of the board at which persons so interested will be heard, and shall direct the secretary of the agency to give notice thereof. The secretary whereupon shall cause the text of said resolution and a notice of the time and place of said hearing to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks, before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers printed and published in the agency.

After an election for the exclusion of such area from the agency the sufficiency of such resolution shall not be subject to judicial review or be otherwise questioned.

If the proceedings for exclusion have been initiated by petition, such petition may be granted by ordinance of the board of directors of such agency. If such proceedings have been initiated by resolution, the board of directors shall hear all persons interested in the proposed exclusion who appear at the hearing, which may be adjourned from time to time, and after the conclusion of the hearing, the board may determine by ordinance that such area should be excluded from the agency. If such petition is granted or if such determination is made, the proposition of such exclusion shall be submitted to the vote of the voters within the area proposed to be excluded, at an election called by the board of directors and held, as herein provided, within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in a newspaper of general circulation published in the agency once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week, prior to the date fixed for such election. Such notice shall describe the boundaries of the area so proposed to be excluded and shall designate such area by some appropriate name, or other words of identification, by which such area may be referred to and indicated upon the ballot to be used at any election at which the question of such exclusion is submitted, as in this act provided. The measure so submitted at such election shall be stated on the ballot substantially as follows:

“Shall ----- (giving the name or other designation of the area proposed to be excluded, as stated in the notice of the election) be excluded from the Upper Santa Clara Valley Water Agency?”

At the right of such proposition there shall be printed the words "Yes" and "No" with voting squares. The board of directors shall canvass the votes cast at such election and if such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board of directors shall certify that fact to the Secretary of State. Upon receipt of such last-mentioned certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the exclusion of said area from said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerk of the county or counties in which the agency is situated. From and after the date of such certificate, the area named therein shall be deemed excluded from, and shall no longer form a part of said agency, but the taxable property within such excluded area shall continue taxable by the agency for the purpose of paying the bonded or other indebtedness of the agency outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied, to the same extent that such property would be taxable for such purpose if such exclusion had not occurred.

SEC 39. Uninhabited territory included within the agency may be excluded from such agency pursuant to the provisions of this section. For the purposes hereof, territory shall be deemed uninhabited if less than 12 voters reside therein at the time of the filing of the petition for exclusion or the initiation of proceedings by resolution of the board. Where any part of the corporate area of any city is included in the territory proposed to be excluded from the agency, the whole of the corporate area of such city, or a part thereof, then included within such agency shall be included in the territory so proposed to be excluded from such agency. Such uninhabited territory may consist of one or more parcels, which need not be contiguous one with the other.

Proceedings for the exclusion of uninhabited territory from the agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of not less than one-fourth of the land in such territory by area and by assessed value as shown on the last equalized assessment roll of the county or counties in which such territory is situated. A guardian, executor, administrator, or any person holding property in a trust capacity under appointment of court, may sign any petition or protest provided for in this section, when authorized by the proper court, which authorization may be made without notice. The last equalized assessment roll of said county is prima facie evidence of the ownership of the land or lands lying within such territory proposed to be excluded. Such petition shall set forth and describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion, and shall contain a

prayer that such area be excluded from the agency pursuant to the provisions of this section.

The secretary shall present such petition to the board of directors of the agency at its next meeting, and said board, without delay, shall pass a resolution giving notice of the proposed exclusion. Said resolution shall state that said petition has been filed, shall set forth and describe the boundaries of the territory proposed to be excluded, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the exclusion of such territory, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

The board of directors of the agency by resolution may initiate proceedings for the exclusion of uninhabited territory from such agency. Such resolution shall declare that proceedings have been initiated by the board of directors under the provisions of this section, shall state the reason for proposing such exclusion, shall set forth and describe the boundaries of the territory proposed to be excluded, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the exclusion of such territory, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

Said hearings shall be commenced not less than 20 nor more than 40 days after the passage of the resolution of the board of directors. The secretary of the agency shall cause the text of the resolution to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers published in the agency.

After the date of issuance by the Secretary of State of his certificate reciting the passage of the ordinance approving the exclusion and the exclusion of the uninhabited territory from the agency, the sufficiency of the petition or resolution shall not be subject to judicial review or be otherwise questioned.

At any time prior to the hour set for the hearing of protests, any owner of property within the territory proposed to be excluded may file with the secretary of the agency written protest against the exclusion. The protest shall state the name of the owner of the property affected, and the description and area of such property in general terms. At the hearing, which may be adjourned from time to time, the board of directors shall hear and pass upon all protests so filed. If such protests are so filed by the owners of one-half of the value of the territory proposed to be excluded as shown by the last equalized assessment roll of the county or counties, further proceedings shall not be taken. If such protest is not made, the board of directors shall approve or disapprove the exclusion by ordinance. Any ordinance approving such exclusion shall set forth

and describe the boundaries of the territory so excluded. If the board of directors disapproves the exclusion, a new proceeding to exclude any of the same territory shall not be initiated under this section for a period of 12 months from the effective date of the ordinance.

When an ordinance approving exclusion of uninhabited territory becomes effective, the president and secretary of the board of directors shall file with the Secretary of State a certified copy of the ordinance. Upon receipt of the certified copy of the ordinance, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the exclusion of said area or areas from said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerks of the counties in which the agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed excluded from, and shall no longer form a part of, said agency, but the taxable property within such excluded area or areas shall continue taxable by such agency for the purpose of paying the bonded or other indebtedness of the agency outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied, to the same extent that such property would be taxable for such purpose if such exclusion had not occurred.

Notwithstanding the eligibility of any territory for exclusion from the agency pursuant to the provisions of this section, the procedure herein prescribed shall not be deemed exclusive and such territory may be excluded from such agency as a separate parcel, or as part of a larger parcel, of territory excluded under the provisions of Section 38 of this act.

Sec. 40. Ordinances may be passed by the voters of the agency organized under the provisions of this act in accordance with the methods provided by the Elections Code for direct legislation in cities.

Sec. 41. Ordinances may be disapproved and thereby vetoed by the voters of this agency by proceeding in accordance with the methods provided by the Elections Code for protesting against legislation in cities.

Sec. 42. The Upper Santa Clara Valley Water Agency organized under the terms of this act may be dissolved or disincorporated in the following manner:

A petition shall be filed with the county clerk of the principal county in which such agency is located, signed by at least 25 percent of the voters of the area included in the agency who voted at the last gubernatorial election, praying for the dissolution and disincorporation of such agency and briefly stating the reasons therefor. Upon the filing of such petition the county clerk shall examine the same within 10 days and ascertain whether or not said petition is signed by the requisite number of voters. When the said county clerk has completed his examination of the petition he shall

attach to the same his certificate properly dated, showing the result of such examination, and if from such examination he shall find that said petition is signed by the requisite number of voters residing within the boundaries of the agency, or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be. If the same is found to be insufficient by him, supplemental petitions may be filed at the time and in the manner and for the same purpose as supplemental petitions to the original petition for the incorporation of the agency. After an election for the disincorporation of the agency hereunder the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

If by the certificate of the county clerk such petition, or such petition as amended or supplemented, is shown to be sufficient, the county clerk shall present the same to the board of supervisors without delay. When such petition is presented by the county clerk as aforesaid, the board of supervisors shall give notice of an election to be held in said agency for the purpose of determining whether or not the same shall be disincorporated and dissolved; provided, however, that in the event the said agency shall have issued bonds, the board of supervisors shall not consider said petition or take any action hereunder until evidence shall be furnished showing said bonds to have been fully satisfied. Said notice of election shall be published in a newspaper published in said agency and determined by said board most likely to give notice to those interested in said hearing, at least once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week prior to the date fixed for the election; said notice shall state that the question of disincorporating said corporation shall be submitted to the voters of said agency at the time appointed for such election, and voters shall be invited thereby to vote upon such proposition by placing upon their ballots the cross as provided by law after the words "For Disincorporation" or "Against Disincorporation." The board of supervisors shall cause a copy of said notice to be mailed by the clerk of said board to each of the directors of said agency, within five days after the date of the first publication thereof, and no election shall be had until proof of such mailing is furnished by affidavit of the clerk of said board. Such election shall be held and conducted in the same manner as the election on the organization of said agency, as nearly as practicable. Within seven days after the date of said election, the board of supervisors shall proceed to canvass the vote cast thereat; if it be found by the canvass of said votes that less than a majority of the votes cast were in favor of disincorporation, said board of supervisors shall declare the petition for disincorporation is denied. In case it shall appear from said canvass that a majority of all the votes cast were in favor of disincorporation, said board of

supervisors shall make and cause to be entered upon the records of their proceedings an order that the petition for such disincorporation be granted, and declaring that the Upper Santa Clara Valley Water Agency be disincorporated; said order to take effect at the time hereinafter provided. Said board of supervisors shall in case said agency is so disincorporated, forthwith cause its clerk, or other officer performing the duties of clerk, to make and transmit to the Secretary of State a certified copy of the notice of election hereinbefore provided for, and a statement of the number of voters voting for said disincorporation and the number of voters voting against said disincorporation. Twenty days from and after the holding of the election, in case a majority of said votes were cast in favor of said disincorporation, said agency shall be forever disincorporated.

SEC 43. Upon disincorporation of the agency in the manner hereinbefore provided for, the board of supervisors of the principal county shall forthwith, after ascertaining by said canvass that the disincorporation has been carried, determine the amount of the indebtedness of said agency, the amount of money in the treasury thereof and all indebtedness due or coming due the said agency, and the directors of said agency shall furnish the said board of supervisors with a statement showing said amount of indebtedness, the amount of money in the treasury and all indebtedness due or coming due said agency, and said agency shall before the expiration of 30 days turn over to the treasury of said county all moneys of said agency in his possession, and said county treasurer shall place said money in a special fund to be drawn upon as hereinafter provided for. Upon the disincorporation of said agency every public officer of said agency shall immediately turn over to the board of supervisors of the principal county in which said agency is situated, all public property of every nature and description in their possession, and including all public records and data of every nature and description. Nothing contained in this act shall be held to relieve said agency or the territory included within it, from any liability or any debt contracted by said agency prior to its disincorporation. All warrants for said indebtedness shall be drawn on order of said board of supervisors of the county, on the fund hereinabove provided for in the county treasury of the principal county. All moneys paid into the county treasury under the provisions of this act shall be placed in the special fund hereinbefore provided for. If at any time after the disincorporation of said agency it shall be found that there is not sufficient money in the treasury to the credit of the fund hereinbefore provided, with which to pay the indebtedness of said agency, said board of supervisors shall have the power, and it shall be their duty, to levy upon, and there shall be collected from, the property within the territory formerly included within said agency subject to taxation for the indebtedness, a tax or taxes sufficient in amount to pay the said indebtedness as the same shall become due; such tax or

taxes, assessments and collections shall be made in the same manner and at the same time that other taxes of the county are levied and collected, and they shall be an additional tax within said territory for the payment of said debts. If after payment of all debts of said agency there shall remain any surplus in the hands of said county treasurer to the credit of the fund hereinbefore mentioned, the board of supervisors shall appropriate said surplus and declare a dividend pro rata to the taxpayers of said agency duly paid, and said taxpayers shall have the right to have the amount of such pro rata dividends refunded to them on demand, and the said board of supervisors shall refund such pro rata to said taxpayers and each thereof. The board of supervisors of the principal county in which said agency has been disincorporated, shall have the power and it shall be the duty of said board, if the board of directors of such agency shall fail or refuse to return to said board the statement of said amounts as hereinbefore in this act provided, to ascertain the indebtedness, other than the bonded indebtedness, of said agency at the time of its disincorporation, the amount of money in its treasury and the amount due it at the said time. said board of supervisors shall make provision for the collection of the amounts due to said agency for the closing up of its affairs, and any act or acts necessary for said purposes not otherwise herein provided for, shall upon the order of said board of supervisors directing the same, be as fully done and performed and with as full effect as if the same had been performed by the proper officers of said agency before disincorporation, and said county shall succeed to and possess all the right of said agency in and to said indebtedness, and shall have the power to sue for or otherwise collect any such debts in the name of said county. and all costs and expenses of ascertaining the facts hereinbefore mentioned, and all other costs and expenses incurred by the board of supervisors in the execution of the orders and duties of said board of supervisors provided for in this act, shall be paid out of the special fund in this act provided for.

It is the intention that the agency shall not be disincorporated until all bonded indebtedness shall have been fully paid, and by the word "indebtedness" as used herein is meant all indebtedness other than said bonded indebtedness unless the latter is expressly used.

SEC. 44. No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the annexation of territory to, or exclusion of territory from, or the disincorporation of, the agency. Any action or proceeding, wherein the validity of such annexation or exclusion or disincorporation is denied or questioned, shall be commenced within three months from the date of the certificate of annexation or of exclusion issued by the Secretary of State, or from the date of the order of the board of supervisors declaring the disincorporation, as the case may be; otherwise,

said annexation or exclusion or disincorporation, and all proceedings in respect thereto, shall be held to be valid and in every respect legal and incontestable.

SEC. 45. Nothing in this act shall be so construed as repealing or in anywise modifying the provisions of any other act relating to water or the supply of water to, or the acquisition thereof, by cities within this State. The term "city," as used in this act, shall mean and include any city, whether organized or functioning under a freeholders' charter or under the provisions of general laws. The word "agency" shall apply, unless otherwise expressed or used, to the Upper Santa Clara Valley Water Agency formed under the provisions of this act, and the word "board" and the words "board of directors" shall apply to the board of directors of such agency. The meaning of the term "voter," as used in this act, shall be ascertained by reference to Section 21 of the Elections Code.

SEC. 46. If there shall be a registrar of voters, other than the county clerk, in the principal county in which the agency is hereby incorporated, or incorporated under the provisions of this act, is situated, the duties required by this act to be performed by the county clerk respecting the nomination of candidates for offices of such water agency and the holding of elections in such agency, shall be performed by such registrar of voters.

SEC. 47. The agency formed hereunder may contain lands situate in more than one county and this agency may annex lands situate in another county or counties. In either such case the lands need not be contiguous. The procedure relating to formation, annexation, dissolution, disincorporation, exclusion, fiscal matters and taxation shall conform as near as may be to such provisions with respect to agencies containing lands located in one county, subject to the following provisions:

(a) The secretary of the board of directors of the Upper Santa Clara Valley Water Agency containing land in more than one county shall perform all duties prescribed by law to be performed by county clerks or registrars of voters, as the case may be, in connection with agency elections and such duties of county clerks as are required by this act which relate to annexation, dissolution, disincorporation and exclusion, and, where necessary such secretary is authorized to procure from the proper county officials all requisite registration books and copies of indexes thereof; all papers required by this act to be filed with a county clerk shall be filed with said secretary and the board of directors shall perform all duties prescribed by law to be performed by boards of supervisors in connection with agency elections and such duties as are required by this act which relate to annexation, dissolution, disincorporation and exclusion of territory.

(b) Immediately after equalization and not later than the 15th day of August of each year, it shall be the duty of the auditor of each county wherein such agency or any part thereof shall lie, to prepare and deliver to the secretary of the agency or such other officer thereof as may be designated by the board of directors therefor a certificate showing the assessed valuation of all property within the agency lying within the county. Thereafter, the board of directors shall make the certification and statement, and issue the directions, as required by Section 27 of this act. After collection of taxes by the proper county officers at the rate specified, such officers shall pay the moneys received therefrom to the agency.

Whenever an improvement district within the Upper Santa Clara Valley Water Agency is itself located in two or more counties, the method and procedure for the apportionment of agency taxes between counties shall apply to such improvement district.

(c) Whenever provision is made in this act for notice within a county, it shall be construed to require notice within each county in which agency lands are located.

(d) "Principal county" as used in this act means the county in which the greater portion of land of the Upper Santa Clara Valley Water Agency is located.

SEC. 48. All acts and parts of acts in conflict herewith are hereby repealed. If any section, subsection, sentence, clause or phrase of this act or the application thereof to any person or circumstance is for any reason held invalid the validity of the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

SEC. 49. The inclusion in, or annexation or addition to this agency, of the corporate area of any public corporation or public agency shall not destroy the identity or legal existence or impair the powers of any such public corporation or public agency, notwithstanding the identity of purpose, or substantial identity of purpose of this agency. No public corporation or public agency having identity of purpose or substantial identity of purpose shall be formed partly or entirely within this agency, whether by incorporation or annexation, without the consent of the board of directors of this agency.

CHAPTER 29

An act to amend Section 21755.1 of the Education Code, relating to return of absent voter ballots in school district elections.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 21755.1 of the Education Code is amended to read:

21755.1. The provisions of the Elections Code for absentee ballots shall apply.

CHAPTER 30

An act to amend Section 23501 of the Education Code, relating to the University of California police department.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 23501 of the Education Code is amended to read:

23501. The Regents of the University of California is authorized and empowered to appoint one or more persons to be members of the University of California police department as such police department is constituted on September 19, 1947, or may thereafter be constituted. Persons employed and compensated as members of said police department, when so appointed and duly sworn, are peace officers; provided, that such officers shall not exercise their powers or authority except (a) upon the campuses of the University of California and an area within one mile of the exterior boundaries of each thereof, and (b) in or about other grounds or properties owned, operated, controlled or administered by the Regents of the University of California.

CHAPTER 31

An act accepting a retrocession of jurisdiction from the United States of America over certain property in Alameda County, State of California.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. There now exists a controversy between the United States and the State of California over the extent of state jurisdiction over certain lands owned by the United States and located within the County of Alameda, State of California, and it being desirable to amicably resolve this issue without litigation, now, therefore, state jurisdiction is hereby confirmed over the following described lands:

Beginning at a post marked L.P. XII, in the exterior boundary line of the Rancho Las Positas, set at the southeast corner of subdivision numbered 6 of plot J, of said rancho, as said plot is described in the decree of partition of said rancho rendered June 18, 1873, in case 2798, Aurrecoechea against Mahoney, certified copy of which decree was recorded December 13, 1873, in book 95 of deeds at page 206, Alameda County Records, and as said subdivision is shown on the map hereinafter referred to; and running thence west along the southern boundary line of said plot J 79.28 chains to a post marked L.P. XI, set at the southwest corner of subdivision numbered 5 of said plot J, as said subdivision numbered 5 is shown on said map; and thence north along the western boundary line of said subdivision numbered 5 and along the western boundary line of subdivision numbered 8, as said subdivision numbered 8 is shown on said map, 79.46 chains to a post set at the northwest corner of said subdivision numbered 8; thence east along the northern boundary line of said subdivision numbered 8 and subdivision numbered 7 as shown on said map, 79 chains to a post marked L.P. XIII; and thence south along the eastern boundary line of subdivision numbered 7, as said subdivision numbered 7 is shown on said map, and along the eastern boundary line of said subdivision numbered 6 of said plot J to the point of beginning.

Being a portion of said plot J of said rancho, as shown upon a certain map of a portion of the Rancho Las Positas surveyed for J. Aurrecoechea, August 1876, by Luis Castro, county surveyor, and also known as subdivisions 5, 6, 7, and 8 in the official map of the county of Alameda, State of California, made by George L. Nusbaumer and W. F. Boardman, adopted by the supervisors of said county, September 24, 1888, and issued May 1, 1889.

Beginning at the northeast corner of the northwest quarter of section 13, township 3 south, range 2 east, Mount Diablo

base and meridian, being also the northeast corner of the 160 acre tract owned by Louis Madsen, thence south 2,640 feet, more or less, along the east line of said quarter section and along the east boundary fence of said 160 acre tract to the southeast corner of said northwest quarter of said section 13, being the southeast corner of said 160 acre tract and the northeast corner of a 30 66 acre tract owned by John and Dora Bargman; thence south 506 feet, more or less, to the southeast corner of said 30 66 acre tract; thence south 965 feet, more or less, along the east fence of a 129.34 acre tract owned by Charles M. and Sue I. G. Nissen to a fence running east and west through said 129 34 acre parcel; thence west 500 feet along said fence through said 129.34 acre tract; thence north, parallel to the east line of the northwest quarter of said section 13, 4,111 feet, more or less, to north boundary of said section 13; thence east 500 feet to the point of beginning, containing 47 175 acres, more or less.

Beginning at a point 30 feet east of the northeast corner of the northwest quarter of said section 13; thence due south, 4,111 feet, more or less, to a point 30 feet due east of the end of a fence across the 129.34 acre tract owned by Charles M. and Sue I. G. Nissen; thence west 30 feet, thence north 4,111 feet, more or less, to the northeast corner of the northwest quarter of said section 13; thence due east 30 feet to the point of beginning, containing 2.83 acres, more or less.

SEC. 2. If the State of California has heretofore ceded partial, concurrent, or exclusive jurisdiction to the United States over these lands, then retrocession of such partial, concurrent, or exclusive jurisdiction is hereby accepted on behalf of the State of California pursuant to the provisions of the Act of September 6, 1961, 75 Stat. 475.

CHAPTER 32

An act to amend Section 12 of, and to add Sections 36 and 37 to, the Ventura County Flood Control Act (Ch. 44, Stats. 1944 (2d Ex. Sess.)), relating to the Ventura County Flood Control District.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 12 of the Ventura County Flood Control Act (Ch. 44 Stats. 1944 (2d Ex. Sess.)) is amended to read:

Sec. 12. The board of supervisors of said district shall have power, in any year:

1. To levy an ad valorem tax or assessment upon all taxable property in the district to pay the costs and expenses of said

Ventura County Flood Control District and to carry out any of the objects or purposes of this act of common benefit to the district as a whole, and

2. To levy an ad valorem tax or assessment upon all taxable property in each or any of said zones, according to the benefits derived or to be derived by said respective zones, to pay the cost and expenses of carrying out any of the objects or purposes of this act of special benefit to said respective zones, including the constructing, maintaining, operating, extending, repairing or otherwise improving any or all works or improvements within said respective zones. It is declared that all property within a given zone is equally benefited under this act.

Said taxes or assessments shall be levied and collected together with, and not separately from, taxes for county purposes, and the revenues derived from said taxes shall be paid into the county treasury to the credit of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any of the several zones from the taxes or assessments levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone except as provided in Section 14 hereof; and provided further, however, that the aggregate taxes or assessments levied under this act for any one fiscal year shall not exceed twenty cents (\$0.20) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in Zone One and shall not exceed forty cents (\$0.40) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in Zones Two, Three and Four, exclusive of any tax or assessment levied to pay the cost and expenses of any project or facility for importing water into the district or to meet any bonded indebtedness of said zones or district and the interest thereon.

Sec. 2. Section 36 is added to said act, to read:

Sec. 36. Notwithstanding anything in this act to the contrary, improvement districts may be formed in the district or in any zone or in any combination of zones for the purpose of importing water or to engage in any purpose for which an improvement district in an irrigation district may be formed pursuant to Part 7 (commencing with Section 23600) Division 11 of the Water Code. The board shall have the same rights, powers, duties and responsibilities with respect to the formation and government of improvement districts for any of these purposes, including the importation of water, as the board of directors of an irrigation district has with respect to improvement districts in irrigation districts, and assessments for any improvement district shall be levied, collected and enforced at the same time and as nearly in the same manner as practicable as annual taxes of the county, except that the assessment shall

be made in the same manner as provided with respect to improvement districts in irrigation districts.

The provisions of the Improvement Act of 1911, the Municipal Improvement Act of 1913, and the Improvement Bond Act of 1915 are applicable to the district for any of the purposes authorized by this section. Such acts or any of them may be used in the discretion of the board in the construction of work to be done or improvements made under this act and in the levying of assessments and reassessments and the issuing of bonds to pay for costs and expenses of the work and improvements done or to be done hereunder.

The powers conferred by this section are in addition to the powers conferred by any other section of this act or other law.

SEC. 3. Section 37 is added to said act, to read:

Sec. 37. An action to determine the validity of bonds, levy of any special assessment, or a contract may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure. In any such action all findings of fact or conclusions of the board upon all matters shall be conclusive unless the action was instituted within six months after the finding or conclusion was made.

CHAPTER 33

An act to amend Sections 80, 86.4, 86.6, and 91.5 of the Agricultural Code and Sections 19622, 19627, and 19636 of the Business and Professions Code, relating to the district agricultural associations.

[Approved by Governor April 19, 1962 Filed with
Secretary of State April 20, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 80 of the Agricultural Code is amended to read:

80. The several counties of this State constitute agricultural districts numbered as follows:

District 1. The County of Alameda.

District 1a. The City and County of San Francisco and the County of San Mateo.

District 2. The County of San Joaquin.

District 3. The County of Butte.

District 4. The Counties of Sonoma and Marin.

District 6. All that portion of Los Angeles County not included in Agricultural District Number 48 and Agricultural District Number 50 District 6 shall be known and designated as the California Museum of Science and Industry.

District 7. The County of Monterey.

District 9. The County of Humboldt.

District 10. That portion of the County of Siskiyou not included in District 10a.

District 10a. All that portion of Siskiyou and Modoc Counties described as follows:

Beginning at the intersection of west longitude 122 degrees 10 minutes with the Oregon-California boundary line, thence southerly along said line of longitude to north latitude 41 degrees 30 minutes, thence easterly along said line of latitude to the point where it intersects west longitude 121 degrees 10 minutes, thence northerly along said line of longitude to the Oregon state line, thence westerly along said state line to the point of beginning.

District 12. The County of Mendocino.

District 13. The Counties of Sutter and Yuba.

District 14. The County of Santa Cruz.

District 15. The County of Kern.

District 16. The County of San Luis Obispo.

District 17. The County of Nevada.

District 18. The Counties of Mono, Inyo, and Alpine.

District 19. All that portion of Santa Barbara County lying east of Gaviota and south of the Santa Ynez Mountains.

District 20. The County of Placer.

District 21. The County of Fresno.

District 21a. The County of Madera.

District 22. The County of San Diego.

District 23. The County of Contra Costa.

District 24. The County of Tulare.

District 24a. The County of Kings.

District 25. The County of Napa.

District 26. The County of Amador.

District 27. The County of Shasta.

District 28. The County of San Bernardino.

District 29. The County of Tuolumne.

District 30. The County of Tehama.

District 31. The County of Ventura.

District 32. The County of Orange.

District 33. The County of San Benito.

District 34. That portion of the County of Modoc not included in District 10a.

District 35. The County of Merced.

District 35a. The County of Mariposa.

District 36. The County of Solano.

District 37. All that portion of Santa Barbara County not included in Agricultural District Number 19.

District 38. The County of Stanislaus.

District 39. The County of Calaveras.

District 40. The County of Yolo.

District 41. The County of Del Norte.

District 42. The County of Glenn.

District 44. The County of Colusa.

District 45. The County of Imperial.

District 46. The County of Riverside.

District 48. All that portion of Los Angeles County described as follows:

Beginning at the intersection of a southerly extension of the east line of Atlantic Avenue with the Pacific Ocean, proceed north to the east line of Atlantic Avenue; thence north along the east line of Atlantic Avenue to its intersection with the south line of Anaheim Street; thence west along the south line of Anaheim Street to Alameda Street; thence north along west line of Alameda Street to south line of Palmer Avenue; thence west along south line of Palmer Avenue to east line of Wilmington Avenue; thence north along east line of Wilmington Avenue to north line of Rosecrans Avenue; thence west along north line of Rosecrans Avenue to east line of Avalon Boulevard; thence north along the east line of Avalon Boulevard to its intersection with the south line of Slauson Avenue; thence west along the south line of Slauson Avenue to La Brea Boulevard, thence north along west line of La Brea Boulevard to north line of Exposition Boulevard; thence east along north line of Exposition Boulevard to west line of Crenshaw Boulevard; thence south along the west line of Crenshaw Boulevard to south line of Vernon Avenue; thence east along south line of Vernon Avenue to Main Street; thence north along west line of Main Street to the north line of Valley Boulevard; thence east along the north line of Valley Boulevard to the east line of State Highway No. 39; thence south along east line of State Highway No. 39 to the Orange county line; thence south along the Orange county line to its intersection with the Pacific Ocean; thence west along the Pacific Coast to point of beginning.

District 49. The County of Lake.

District 50. All that portion of Los Angeles County lying north of the south line of Township 5 North, San Bernardino base.

District 52. The County of Sacramento.

SEC. 2. Section 86.4 of said code is amended to read:

86.4. In addition to any other power granted by this article, the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, and 22d District Agricultural Association, with the approval of the Department of Finance, may build, construct, and maintain and operate a sports stadium or stadia, a sports arena or sports pavilion or other building for holding sports events, athletic contests, contests of skill, exhibitions, spectacles and other public meetings, and may lease, let, or grant licenses for their use.

SEC. 3. Section 86.6 of said code is amended to read:

86.6. In addition to any other powers granted by this article, the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, may establish a space age museum in its building at Exposition Park in the City of Los Angeles.

SEC. 4. Section 91.5 of said code is amended to read:

91.5. All moneys collected or received by the Sixth District Agricultural Association, or by the association as the California Museum of Science and Industry, shall be remitted monthly to the State Treasurer for credit to the "Sixth District Agricultural Association Fund," to be known and designated as the "California Museum of Science and Industry Fund," which fund is hereby created. All moneys heretofore or hereafter appropriated by the Legislature to the Sixth District Agricultural Association or to the association as the California Museum of Science and Industry shall be credited to the Sixth District Agricultural Association Fund, to be known and designated as the California Museum of Science and Industry Fund. All moneys in said fund are hereby appropriated and shall be available for expenditure, in accordance with the provisions of law, for major and minor construction, improvements, equipment, maintenance, and support of the buildings and grounds or other property of the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, and for the purchase of real or personal property.

SEC. 5. Section 19622 of the Business and Professions Code is amended to read:

19622. The following amounts are hereby annually appropriated out of the fund:

(a) Two hundred fifty thousand dollars (\$250,000) for the support of the California State Fair and Exposition.

(b) Two hundred fifty thousand dollars (\$250,000) for the support of the Los Angeles County Fair.

(c) Two hundred fifty thousand dollars (\$250,000) for the support of the 1-A District Agricultural Association.

(d) One hundred twenty-five thousand dollars (\$125,000) for the support of the 48th District Agricultural Association.

(e) Fifteen thousand dollars (\$15,000) to the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, (1) for the purpose of holding a permanent exposition and exhibition of all citrus products and of all the industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view toward improving, exploiting, encouraging, and stimulating such industries, resources, and products, and (2) for the support of the buildings, grounds, and other property of the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry. No admission fee shall be charged by or for such exposition.

There is appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) during each of the 1957-58 and 1958-59 fiscal years, which, notwithstanding any other provision of this section, shall be available in accordance with Section 16304 of the Government Code, to the Sixth District Agri-

cultural Association of the State of California, for the purpose of holding an annual industrial and trade exposition to demonstrate and promote the trade and industrial progress of the State by means of displays of the industrial products and techniques of the State, such other displays and exhibits as will illustrate the importance of trade and industry as a vital factor in California's economy and California's standing as an important industrial State, and such other activities as will encourage and stimulate further development of trade and industry in this State.

SEC. 6. Section 19627 of said code is amended to read:

19627. Forty percent, but not more than four million six hundred eighty thousand dollars (\$4,680,000), of the first balance of the fund is hereby annually appropriated for the encouragement of county, district, or combined county and district fairs (exclusive of the California State Fair and Exposition, the Los Angeles County Fair, 1-A District Agricultural Association, the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, the 48th District Agricultural Association, and citrus fruit fairs), to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law including this section.

The Department of Finance shall apportion the money appropriated by this section to the several eligible county, district, or combined county and district agricultural fairs on the basis of the need of each such fair for financial assistance from the State during the year for which the apportionment is to be made. No such fair shall receive such an apportionment in excess of such need as established by the department. In determining such need, the department shall take into consideration, as to each such fair, all relevant factors, including, but not limited to, the following:

- (1) The approved budget of the fair.
- (2) The statements of operations of the fair filed pursuant to Section 92 6 of the Agricultural Code.
- (3) The amount of money available to the fair from its own resources or from sources other than the State.
- (4) The propriety and amount of any reserve funds established, or sought to be established, by the fair.
- (5) The maximum amount of revenue from all sources which might reasonably be expected to become available to the fair during such year, and the times within such year at which it will become available.
- (6) The classification of the fair.

No such county, district or combined county and district agricultural fair shall receive an apportionment of more than sixty-five thousand dollars (\$65,000) in any one year. No such fair shall be eligible for an apportionment pursuant to this

section unless it has filed, for each year subsequent to 1958, a statement of its operations during such year as provided in Section 92.6 of the Agricultural Code, irrespective of whether or not an apportionment for any such year or years is sought or made and all such fairs shall be deemed to be subject to said Section 92.6 for all purposes.

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents (\$212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code.

SEC. 7. Section 19636 of said code is amended to read:

19636. All money appropriated pursuant to this article to the California State Fair and Exposition, the Los Angeles County Fair, the Sixth District Agricultural Association, known and designated as the California Museum of Science and Industry, the citrus fruit fairs defined in Section 94 of the Agricultural Code, and the 1-A District Agricultural Association, except money allocated by the Director of Finance for fair purposes under Section 19630 of this code, is exempt from the provisions of Section 16304 of the Government Code, and shall remain available for expenditure from year to year until expended.

CHAPTER 34

An act to amend Sections 3 and 5 of Chapter 3 of the Statutes of 1962 (First Extraordinary Session), relating to the special election to be consolidated with the direct primary election of 1962, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3 of Chapter 3 of the Statutes of 1962 (First Extraordinary Session) is amended to read:

Sec. 3. (a) Upon the date a measure designated in Section 2 of this act is filed with the Secretary of State, the author of the measure and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer

of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after the date the measure is filed with the Secretary of State.

(b) The arguments on Senate Constitutional Amendment No. 10 of 1961 shall be those on file in the office of the Secretary of State on the effective date of this act, except that if an argument for the adoption of the measure or an argument against the adoption of the measure is not on file in the office of the Secretary of State on the effective date of this act, then such argument shall be submitted as provided in subdivision (a) of this section and by April 16, 1962.

SEC. 2. Section 5 of said act is amended to read:

Sec. 5. Upon the date a measure designated in Section 2 of this act is filed with the Secretary of State, the Secretary of State shall request the Attorney General to prepare a ballot title for such measure and shall also request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The title and analysis shall be filed with the Secretary of State within five days after the date the measure is filed with the Secretary of State. The measures submitted pursuant to this act shall be designated on the ballots at the election by its ballot title.

The title and analysis on Senate Constitutional Amendment No. 10 of the 1961 Regular Session shall be filed with the Secretary of State by April 16, 1962.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to clarify the time limits prescribed for the submission of ballot pamphlet material to be used at the special election held to be consolidated with the direct primary election, it is necessary that this act take effect immediately.

CHAPTER 35

An act to amend Section 3567 of the Elections Code, relating to the printing of ballot pamphlets.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3567 of the Elections Code is amended to read:

3567. The Secretary of State shall cause to be printed not to exceed $1\frac{1}{10}$ times as many ballot pamphlets as there are voters in the State.

The ballot pamphlets shall be printed in the State Printing Office unless the Director of Finance determines that the printing of the pamphlets in the State Printing Office cannot be done adequately, competently, or satisfactorily, in which case the Secretary of State, subject to the approval of the Director of Finance, shall contract with a private printing concern for the printing of the pamphlets.

CHAPTER 36

An act to add Section 22817 to the Government Code, relating to coverage under the Meyers-Geddes State Employees' Medical and Hospital Care Act.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 22817 is added to the Government Code, to read:

22817. A Member of the Legislature may enroll in a health benefits plan. The contributions of such member shall be the total cost of his coverage and the coverage of any family members enrolled by him, exclusive of contributions to the State Employees' Contingency Reserve Fund.

CHAPTER 37

An act to add Section 5715.2 to the Education Code, relating to junior colleges.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 5715.2 is added to the Education Code, to read:

5715.2. The governing board of any school district maintaining a junior college may conduct junior college classes for students who are residents of the district and utilize existing facilities necessary therefor outside of the boundaries of the district if the district is unable to construct adequate facilities within the district because of the failure of the electors of the district to authorize the issuance of bonds for such purpose at an election held for such purpose and if the district is unable to obtain adequate facilities within the district with the funds available to the district for such purpose.

CHAPTER 38

An act to amend Sections 10, 12.5, 14, 15, and 17 of, to amend and renumber Section 26 of, and to add Sections 26, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 26.10, 26.11, 26.12, 26.13, 26.14, 26.15, and 26.16 to, the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405 of the Statutes of 1951), relating to flood control and water conservation in Santa Clara County.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 10 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405 of the Statutes of 1951) is amended to read:

Sec. 10. The board shall have jurisdiction and power to employ competent registered civil engineers to investigate and carefully devise a plan or plans for a project, and to obtain such information in regard thereto, as may be deemed necessary or useful for carrying out the purposes of this act; and the board may direct such engineer or engineers to make and file reports from time to time with the board, which shall show:

1. A general description of the project, together with general plans, profiles, cross-sections, and general specifications relating thereto, on each project.

2. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said project.

3. A map or maps which shall show the location and zones, as may be required, of each of said projects, and lands, rights of way, easements and property to be taken, acquired or injured in carrying out said project, and any other information in regard to the same that may be deemed necessary or useful.

4. An estimate of the cost of each project, including a statement of the portion, if any, of such cost theretofore advanced by the district for said project for which the district proposes to reimburse itself from the proceeds of sale of any bonds to be issued to pay for said project and an estimate of the cost of lands, rights-of-way, easements and property proposed to be taken, acquired or injured in carrying out said project, and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and, if deemed advisable, a sum sufficient to pay interest on any bonds proposed to be issued during all or any part of the period of construction of said project and for not to exceed 12 months thereafter; and the total amount of bonds, if any, necessary to be issued to pay for said project.

Such engineer or engineers shall from time to time and as directed by the board file with the board supplementary, amendatory and additional reports and recommendations, as necessity and convenience may require.

Such engineer or engineers, employed by the board, shall have power and authority, subject to the control and direction of the board, to employ such engineers, surveyors, and others, as may be required for making all surveys or doing any other work necessary for the making of any such report.

The board may at any time remove any or all of the engineers or employees appointed or employed under this act, and may fill any vacancies occurring among them from any cause.

SEC. 2. Section 12.5 of said act is amended to read:

Sec. 12.5. The board may create by resolution such advisory boards, committees, or commissions for the district or any zone therein as in its judgment are required to serve the best interests of said district or zones, and may grant to them such duties as are consistent with the provisions of this act. The number of members of any such board, committee, or commission shall be not less than three (3) and shall be specified in the resolution. Members thereof shall serve at the pleasure of the board. The board shall create an advisory committee consisting of farmers to represent users of agricultural water.

SEC. 3. Section 14 of said act is amended to read:

Sec. 14. (1) Whenever the board determines that a bonded indebtedness should be incurred to pay the cost of any project in any zone or zones, the board may by resolution, determine and declare the respective amounts of bonds to be issued to

raise the amount of money necessary for each project and the denomination and the maximum rate of interest of said bonds. In determining each amount of bonds and the amount of money necessary for each project, the board may include therein the portion, if any, of the cost of such project theretofore advanced by the district for which the district proposes to reimburse itself from the proceeds of sale of any bonds to be issued to pay for said project and the cost of lands, rights-of-way, easements and property proposed to be taken, acquired or injured in carrying out said project and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and, if deemed advisable, a sum sufficient to pay interest on any bonds proposed to be issued during all or any part of the period of construction of said project and for not to exceed 12 months thereafter. The board shall cause a copy of the resolution, duly certified by the clerk, to be filed for record in the Office of the Recorder of Santa Clara County within five (5) days after its issuance. From and after said filing of said copy of said resolution the board shall be deemed vested with the authority to proceed with the bond election.

(2) After the filing for record of the resolution specified in subdivision (1) of this section, the board may call a special bond election in said zone or participating zones at which shall be submitted to the qualified electors of said zone or participating zones the question whether or not bonds shall be issued in the amount or amounts determined in said resolution and for the purpose or purposes therein stated. Said bonds and the interest thereon shall be paid from revenue derived from annual taxes or assessments levied as provided in this act.

(3) Said board shall call such special bond election by ordinance and not otherwise and submit to the qualified electors of said zone or participating zones, the proposition of incurring a bonded debt in said zone or participating zones in the amount and for the purposes stated in said resolution and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred; provided, that it shall be sufficient to give a brief, general description of such objects and purposes, and refer to the recorded copy of such resolution adopted by said board, and on file for particulars; and said ordinances shall also state the estimated cost of the proposed project, the amount of the principal of the indebtedness to be incurred therefor, and the maximum rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, and the form and contents of the ballot to be used. The rate of interest to be paid on such indebtedness shall not exceed five percent (5%) per annum. For the purposes of said election, said board shall in said ordinance establish special bond election precincts within the boundaries of each zone and participating zone and may form election

precincts by consolidating the precincts established for general elections in said district to a number not exceeding six general precincts for each such special bond election precinct, and shall designate a polling place and appoint one inspector, one judge and one clerk for each of such special bond election precincts.

In all particulars not recited in said ordinance, such special bond election shall be held as nearly as practicable in conformity with the general election laws of the State, except as provided herein.

Said board shall cause a map or maps to be prepared covering a general description of the project, which said map shall show the location of the proposed projects, and shall cause the said map to be posted in a prominent place in the county courthouse for public inspection for at least thirty (30) days before the date fixed for such election.

Said ordinance calling for such special bond election shall, prior to the date set for such election, be published pursuant to Section 6062 of the Government Code in a newspaper of general circulation circulated in each zone and participating zone affected. The last publication of such ordinance must be at least fourteen (14) days before said election, and if there be no such newspaper, then such ordinance shall be posted in five public places designated by the board, in each zone and participating zone for at least thirty (30) days before the date fixed for such election. No other notice of such election need be given nor need polling place cards be issued.

Any defect or irregularity in the proceedings prior to the calling of such special bond election shall not affect the validity of the bonds authorized by said election. If at such election two-thirds ($\frac{2}{3}$) of the votes cast are in favor of incurring such bonded indebtedness, then bonds for such zone or participating zones for the amount stated in such proceedings shall be issued and sold as in this act provided.

SEC. 4. Section 15 of said act is amended to read:

Sec. 15. The board shall, subject to the provisions of this act, prescribe by resolution the form of said bonds, which must include a designation of the zone or participating zones affected, and of the interest coupons attached thereto. Said bonds shall be payable annually or semiannually at the discretion of the board each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The board may divide the principal amount of any issue into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of any other series. The maturity of each series shall comply with this section. The board may fix a date, not more than two years from the date of issuance, for the earliest maturity of each issue or series of bonds. The final

maturity date shall not exceed 40 years from the time of incurring the indebtedness evidenced by each issue or series. The board may provide for call and redemption of all or any part of any issue or series of bonds before maturity at prices determined by the board. No bond shall be subject to call or redemption prior to maturity unless it contains a recital to that effect.

The bonds shall be issued in such denominations as the board may determine, except that no bonds shall be of a less denomination than one hundred dollars (\$100), nor of a greater denomination than one thousand dollars (\$1,000), and shall be payable on the days and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of five per centum (5%) per annum, and shall be made payable annually or semiannually, and said bonds shall be numbered consecutively and shall be signed by the chairman of the board, and countersigned by the auditor of said district, and the seal of said district shall be affixed thereto by the clerk of the board. Either or both such signatures may be printed, engraved or lithographed. The interest coupons of said bonds shall be numbered consecutively and signed by the said auditor by his printed, engraved or lithographed signature. In case any such officer whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such bonds and coupons and signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC. 5. Section 17 of said act is amended to read:

Sec. 17. Any bonds issued under the provisions of this act and the interest thereon shall be paid by revenue derived from an annual tax or assessment, levied as provided in clause (a) or (b) of subdivision 2 of Section 13 of this act. No zone nor the property therein shall be liable for the share of bonded indebtedness of any other zone, nor shall any moneys derived from taxation or assessment in any of the several zones be used in payment of principal or interest or otherwise of the share of bonded indebtedness chargeable to any other zone, except in the case of joint projects by participating zones.

SEC. 6. Section 26 of said act is amended and renumbered to read:

Sec. 25.5. Should a proposition for issuing bonds for any zone or participating zones submitted at any election under this act fail to receive the requisite number of votes of the qualified electors voting at such election to incur the indebtedness for the purpose specified, the board shall not for six months after such election call or order another election in such zone or participating zone for incurring indebtedness and issuing bonds under the terms of this act for the same objects and purposes; provided, however, if the first bond election held after the effective date of this section, for the purpose of

providing funds for the construction of facilities which will conserve, distribute or purify water, fails, then the provisions of this section shall not apply to the next succeeding bond election called for the same objects and purposes, except that the succeeding bond election shall be for a substantially different bond amount.

SEC. 7. Section 26 is added to said act, to read:

Sec. 26. The board shall have the power, in addition to the powers enumerated elsewhere in this act, to levy and collect a ground water charge for the production of water from the ground water supplies within a zone or zones of the district which will benefit from the recharge of underground water supplies or the distribution of imported water in such zone or zones.

SEC. 8. Section 26.1 is added to said act, to read:

Sec. 26.1. As used in connection with the ground water charge, the following words shall mean:

“Person” or “operator” means public agencies, federal, state, and local, private corporations, firms, partnerships, individuals or groups of individuals, whether legally organized or not; “owner” or “operator” also means the person to whom a water-producing facility is assessed by the county assessor, or, if not separately assessed, the person who owns the land upon which a water-producing facility is located.

“Ground water” means all water beneath the earth’s surface, but does not include water which is produced with oil in the production of oil and gas, or in a bona fide mining operation, or during construction operations, or from gravity or artesian springs.

“Production” or “producing” means the act of extracting ground water by pumping or otherwise.

“Water-producing facility” means any device or method, mechanical or otherwise, for the production of water from the ground water supplies within the district or a zone thereof.

“Accumulated overdraft” means the amount of water necessary to be replaced in the intake areas of the ground water basins within the district or any zone or zones thereof to prevent the landward movement of salt water into the fresh ground water body, or to prevent subsidence of the land within any such zone or zones, as determined by the board from time to time.

“Annual overdraft” means the amount, determined by the board, by which the production of water from the ground water supplies within the district or any zone or zones thereof during the water year exceeds the natural replenishment of such ground water supplies in such water year.

“Water year” means July 1st of one calendar year to June 30th of the following calendar year.

“Agricultural water” means water first used on lands in the production of plant crops or livestock for market.

SEC. 9. Section 26.2 is added to said act, to read:

Sec. 26.2. Prior to the establishment of any ground water charge, the board shall establish a zone or zones within the district within which the ground water charge will be effective. Said zone or zones shall be established and may be amended to the extent and in the manner prescribed in Section 3 of this act.

SEC. 10. Section 26.3 is added to said act, to read:

Sec. 26.3. Ground water charges levied pursuant to this act are declared to be in furtherance of district activities in the protection and augmentation of the water supplies for users within a zone or zones of the district which are necessary for the public health, welfare and safety of the people of this State. The ground water charges are authorized to be levied upon the production of ground water from all water-producing facilities, whether public or private, within said zone or zones of the district for the benefit of all who rely directly or indirectly upon the ground water supplies of such zone or zones and water imported into such zone or zones.

The proceeds of ground water charges levied and collected upon the production of water from ground water supplies within such zone or zones of the district are authorized and shall be used exclusively by the board for the following purposes:

1. To pay the costs of constructing, maintaining and operating facilities which will import water into the district which will benefit such zone or zones, including payments made under any contract between the district and the State of California, the United States of America, or any public, private or municipal utility.

- 2 To pay the costs of purchasing water for importation into such zone or zones, including payments made under contract to the State of California, the United States of America, or any public, private or municipal utility.

3. To pay the costs of constructing, maintaining and operating facilities which will conserve or distribute water within such zone or zones, including facilities for ground water recharge, surface distribution, and the purification and treatment of such water.

4. To pay the principal or interest of any bonded indebtedness or other obligations incurred by the district on behalf of such zone or zones for any of the purposes set forth in paragraphs 1, 2 and 3 of this section.

The district may apply to any one or more of the purposes set forth in paragraphs 1, 2, 3 and 4 of this section any or all revenues received by the district from water sale contracts executed by the district pursuant to this act.

SEC. 11. Section 26.4 is added to said act, to read:

Sec. 26.4. Within six months after the date of establishing any such zone or zones, all water-producing facilities located within the boundaries of such zone or zones shall be registered with the district and, if required by the board,

measured with a water-measuring device satisfactory to the district by the operator thereof. Any new water-producing facility, constructed or re-established after such date, shall be registered with the district and, if required by the board, measured with a water-measuring device satisfactory to the district within 30 days after the completion or re-establishment thereof.

Failure to register any water-producing facility, as required by this act, is a misdemeanor punishable by a fine of not to exceed five hundred dollars (\$500), or imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

In addition to other information which the district may determine is necessary and may require in the registration form provided, there shall also be given information as to the owner or owners of the land upon which each water-producing facility is located, a general description and location of each water-producing facility, the name and address of the person charged with the operation of each water-producing facility, and the name or names and addresses of all persons owning or claiming to own an interest in the water-producing facility.

SEC. 12. Section 26.5 is added to said act, to read:

Sec. 26.5. The district engineer shall annually prepare an investigation and report upon ground water conditions of the district and the zones thereof. The investigation and report shall include, among other information which the district may desire, information for the consideration of the board in its determination of the annual overdraft, information for the consideration of the board in its determination of the accumulated overdraft as of the last day of the preceding water year, a report as to the total production of water from the ground water supplies of the district and the zones thereof for the preceding water year, an estimate of the annual overdraft for the current water year and for the ensuing water year, the amount of water the district is obligated to purchase during the ensuing water year, and a recommendation as to the quantity of water needed for surface delivery and for replenishment of the ground water supplies of the district and the zones thereof for the ensuing year.

SEC. 13. Section 26.6 is added to said act, to read:

Sec. 26.6. On the second Monday in March of each year the engineering investigation and report shall be delivered to the clerk of the district board in writing. Said clerk shall publish, pursuant to Section 6061 of the Government Code, a notice of the receipt of such report and of the public hearing to be held on the second Monday of April in a newspaper of general circulation printed and published within the district, at least 10 days prior to the date at which the public hearing regarding said engineering investigation and report shall be held. Said notice, among other information which the district may provide therein, shall contain an invitation to all operators of water-producing facilities within the district to call at the of-

fices of the district to examine said engineering investigation and report.

There shall be held by the board on the second Monday of April of each year, in the chambers of the board, a public hearing at which time any operator of a water-producing facility within the district, or any person interested in the condition of the ground water supplies or the surface water supplies of the district, may in person, or by representative, appear and submit evidence concerning the ground water conditions and the surface water supplies of the district. Appearances also may be made supporting or protesting said written engineering investigation and report. The board shall, before the levy of the ground water charge, find and determine the average annual overdraft for the immediate past 10 water years; the estimated annual overdraft for the current water year; the estimated annual overdraft for the ensuing water year; the accumulated overdraft as of the last day of the preceding water year; the estimated accumulated overdraft as of the last day of the current water year; the estimated amount of agricultural water to be withdrawn from the ground water supplies of the district and the zones thereof for the ensuing water year; the amount of water other than agricultural water to be drawn from the ground water supplies of the district and the zones thereof for the ensuing water year; the estimated amount of water necessary for surface distribution for the ensuing water year; the amount of water which is necessary for the replenishment of the ground water supplies of the zones of the district; and the amount of water the district is obligated by contract to purchase.

Said findings and determinations by the board shall be conclusive and binding upon all persons and parties.

SEC. 14. Section 26.7 is added to said act, to read:

Sec. 26.7. Within four weeks from the close of said hearing, and based upon the findings and determinations from said hearing, the board shall determine whether or not a ground water charge should be levied in any zone or zones. If the board determines that a ground water charge should be levied, it shall levy, assess, and affix such charge or charges against all persons operating ground water-producing facilities within such zone or zones during the ensuing water year. The charge shall be computed at a fixed and uniform rate per acre-foot for agricultural water, and at a fixed and uniform rate per acre-foot for all water other than agricultural water. Different rates may be established in different zones; provided, however, that in each zone the rate for agricultural water shall be fixed and uniform and the rate for water other than agricultural water shall be fixed and uniform.

The ground water charge in any year shall not exceed a fixed and uniform rate of five dollars (\$5) per acre-foot for agricultural water, or a fixed and uniform rate of ten dollars (\$10) per acre-foot for all water other than agricultural water.

Any ground water charge levied pursuant to this section shall be in addition to any general tax or assessment levied within the district or any zone or zones thereof.

Clerical errors occurring or appearing in the name of any person or in the description of the water-producing facility where the production of water therefrom is otherwise properly charged, or in the making or extension of any charge upon the records which do not affect the substantial rights of the assessee or assessessee, shall not invalidate the ground water charge.

SEC. 15. Section 26.8 is added to said act, to read:

Sec. 26.8. The district, after the levying of the ground water charge, shall give notice thereof to each operator of each water-producing facility in the zone or zones as disclosed by the records of said district, which notice shall state the rate for each class of water of the ground water charge for each acre-foot of water to be produced during the ensuing water year. Said notice may be sent by postal card or by other first-class mail and with postage prepaid by the district.

SEC. 16. Section 26.9 is added to said act, to read:

Sec. 26.9. After the establishment of a zone in which a ground water charge may be levied, each operator of a water-producing facility within said zone, until such time as said water-producing facility has been permanently abandoned, shall file with the district, on or before the 31st day of January and on or before the 31st day of July in each year, a statement setting forth the total production in acre-feet of water for the preceding six-months period (excluding the month in which the statement is due), a general description or number locating each water-producing facility and the method or basis of the computation of such water production. If no water has been produced from said water-producing facility during the preceding six-months period, said statement shall be filed as provided for herein, setting forth that no water has been produced during said period. Said statement shall be verified by a written declaration that it is made under the penalties of perjury. The ground water charge is payable to the district on or before the last date upon which the water production statements shall be filed, and is computed by multiplying the production in acre-feet of water for each classification as disclosed in the statement by the ground water charge for each classification of water. At such time as any said water-producing facility has been permanently abandoned, the operator thereof shall give written notice of such abandonment to the district. If any operator of a water-producing facility shall fail to pay the ground water charge when due, the district shall charge interest at the rate of one percent (1%) each month on the delinquent amount of the ground water charge.

Should any operator of a water-producing facility fail to register each water-producing facility, or fail to file the water production statements as required by this act, the district shall, in addition to charging interest as provided herein,

assess a penalty charge against such operator in an amount of ten percent (10%) of the amount found by said district to be due.

The board may, at the time of fixing the ground water charge, provide by resolution that the operator of any water-producing facility having a discharge opening not greater than two inches in diameter, and which does not provide water for an area in excess of one acre, may pay a fixed charge for each such water-producing facility at the rate established for water other than agricultural water, in lieu of filing a sworn statement as to the production of ground water.

SEC. 17. Section 26.10 is added to said act, to read:

Sec. 26.10. Upon good cause shown, an amended statement of water production may be filed or a correction of the records may be made at any time prior to the final date for filing the next semiannual water production statement.

SEC. 18. Section 26.11 is added to said act, to read:

Sec. 26.11. The district shall prepare each year a record called "The Record of Water Production and Ground Water Charges" in which shall be entered a general description of the property upon which each water-producing facility is located, an identifying number or code which is assigned to such facility, the annual water production for each class of water produced from each water-producing facility, and the ground water charge for each class of water.

SEC. 19. Section 26.12 is added to said act, to read:

Sec. 26.12. The superior court of the county in which the district lies may issue a temporary restraining order upon the filing by the district with said court of a petition or complaint setting forth that the person named therein as defendant is the operator of a water-producing facility which has not been registered with the district, or that such defendant is delinquent in the payment of a ground water charge. Such temporary restraining order shall be returnable to said court on or before ten days after its issuance.

The court may issue and grant an injunction restraining and prohibiting the named defendant from the operation of any water-producing facility when it is established at the hearing that the defendant has failed to register such water-producing facility with the district, or that the defendant is delinquent in payment of ground water charges thereon. Such court may provide that the injunction so made and issued shall be stayed for a period not to exceed ten days to permit the defendant to register the water-producing facility or to pay the delinquent ground water charge.

Service of process is completed by posting a copy of the summons and complaint upon the water-producing facility or the parcel of land upon which it is located and by personal service upon the named defendant.

The right to proceed for injunctive relief granted herein is an additional right to those which may be provided elsewhere

in this act or otherwise allowed by law. The procedure provided in Chapter 3 (commencing with Section 525), Title 7, Part 2, of the Code of Civil Procedure, regarding injunctions shall be followed except insofar as it may herein be otherwise provided. The district shall not be required to provide an undertaking or bond as a condition to granting injunctive relief.

SEC. 20. Section 26.13 is added to said act, to read:

Sec. 26.13. If the district has probable cause to believe that the production of water from any water-producing facility is in excess of that disclosed by the sworn statements covering such water-producing facility, or if no statements are filed covering any water-producing facility, the district may cause an investigation and report to be made concerning the production of water from each such water-producing facility. The district may fix the amount of water production from any such water-producing facility at an amount not to exceed the maximum production capacity of such water-producing facility; provided, however, where a water-measuring device is permanently attached thereto, the record of production, as disclosed by such water-measuring device, shall be presumed to be accurate and the burden is upon the district to establish to the contrary.

After such determination has been made by the district, a written notice thereof shall be mailed to the person operating such water-producing facility at his address as shown by the district's records. Any such determination made by the district shall be conclusive on all persons having an interest in such water-producing facility, and the ground water charge, interest and penalties thereon, shall be paid forthwith, unless such person files with the board within ten days after the mailing of such notice, a written protest setting forth the ground or grounds for protesting the amount of production so fixed. Upon the filing of such protest, the board thereafter shall hold a hearing at which time the total amount of the water production and the ground water charge thereon shall be determined, which shall be conclusive if based upon substantial evidence. A notice of such hearing shall be mailed to the protestant at least 10 days before the date fixed for the hearing. Notice of the determination by the board shall be mailed to each protestant, who shall have 20 days from the date of mailing to pay the ground water charge, interest or penalties provided by the provisions of this act.

Notice as required in this section shall be given by deposit thereof in any postal facility regularly maintained by the government of the United States in a sealed envelope with postage paid, addressed to the person on whom it is served at his name and address as disclosed by the records of the district. The service is complete at the time of deposit.

SEC. 21. Section 26.14 is added to said act, to read:

Sec. 26.14. The district may bring a suit in the court having jurisdiction against any operator of a water-producing

facility within the district for the collection of any delinquent ground water charge. The court having jurisdiction of said suit, may, in addition to allowing recovery of costs to said district as allowed by law, fix and allow as part of the judgment interest and penalties as provided in Section 26.9. Should the district, as a provisional remedy in bringing such suit, seek an attachment against the property of any named defendant therein, the district shall not be required to provide a bond or undertaking as is otherwise provided for in the Code of Civil Procedure of the State of California in Chapter 4 (commencing with Section 537), Title 7, Part 2, thereof.

SEC. 22. Section 26.15 is added to said act, to read:

Sec. 26.15. It shall be unlawful to produce water from any water-producing facility required to be registered pursuant to the terms of this act unless such water-producing facility has been registered with the district within the time required by the provisions of this act and, if required by the board, has a water-measuring device affixed thereto capable of registering the accumulated amount of water produced therefrom.

This section is not applicable to operators of water-producing facilities having a discharge opening two inches or less in diameter, and which do not provide water for an area in excess of one acre who pay in accordance with district regulations a fixed charge at the rate of one acre-foot per year for water classified as other than agricultural water.

Violation of this provision shall be punishable by a fine not to exceed five hundred dollars (\$500), or imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment. Each day of operation in violation hereof shall constitute a separate offense.

SEC. 23. Section 26.16 is added to said act, to read:

Sec. 26.16. Any person who injures, alters, removes, resets, adjusts, manipulates, obstructs or in any manner interferes or tampers with or procures or causes or directs any person to injure, alter, remove, reset, adjust, manipulate, obstruct or in any manner interfere or tamper with any water-measuring device affixed to any water-producing facility as required by this act, so as to cause said water-measuring device to improperly or inaccurately measure and record said water production, or any person who with intent to evade any provision or requirement of this act files with the district any false or fraudulent water production statement is guilty of a misdemeanor and is punishable by a fine not to exceed five hundred dollars (\$500), or imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment.

CHAPTER 39

An act to repeal Chapter 842 of the Statutes of 1921, relating to the Benicia Reclamation District.

[Approved by Governor April 19, 1962. Filed with Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Chapter 842 of the Statutes of 1921 is repealed.

SEC. 2. The Benicia Reclamation District is hereby dissolved.

CHAPTER 40

An act creating the Crestline-Lake Arrowhead Water Agency and prescribing the boundaries, organization, operation, management, financing and other powers and duties of the agency.

[Approved by Governor April 19, 1962. Filed with Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The Crestline-Lake Arrowhead Water Agency is hereby created, organized and incorporated and shall be managed as herein expressly provided and may exercise the powers herein expressly granted or necessarily implied, and may include contiguous or noncontiguous parcels of both unincorporated and incorporated territory and territory included in any public district having similar powers and shall include all territory lying within the following described boundaries:

Beginning at the Northwest corner of Section 7, T. 2N., R. 4W., San Bernardino Base and Meridian;

Thence Easterly along the North line of said Section 7 and of Sections 8, 9, 10, 11, and 12, same township and range, and continuing Easterly along the North line of Sections 7, 8, 9, 10, 11, and 12, T. 2N., R. 3W., S.B.B. & M., and continuing Easterly along the North line of Sections 7, 8, 9, and 10, T. 2N., R. 2W., S.B.B. & M., to the Northeast corner of said Section 10;

Thence Southerly along the East line of said Section 10 and of Sections 15, 22, 27, and 34, same township and range, and continuing Southerly along the East line of Section 3, T. 1N., R. 2W., S.B.B. & M., to the Southeast corner of said Section 3;

Thence Westerly along the South line of said Section 3 to the Northeast corner of Section 9, same township and range;

Thence Southerly along the East line of said Section 9 to the Southeast corner of said Section 9;

Thence Westerly along the South line of said Section 9, and of Section 8, same township and range, to the Southwest corner of said Section 8;

Thence Southerly along the East line of Section 7, same township and range, to the Southeast corner of said Section 7;

Thence Westerly along the South line of said Section 7, and continuing Westerly along the South line of Section 12, T. 1N., R. 3W., S.B.B. & M., to the Southwest corner of said Section 12;

Thence Northerly along the West line of said Section 12 and of Section 1, same township and range, to the Northwest corner of said Section 1;

Thence Easterly along the North line of said Section 1 to the Southwest corner of Section 36, T. 2N., R. 3W., S.B.B. & M.;

Thence Northerly along the West line of said Section 36 to the Southeast corner of Section 26, same township and range;

Thence Westerly along the South line of said Section 26, and continuing Westerly along the South line of Sections 27, 28, 29, and 30, same township and range, and continuing Westerly along the South line of Sections 25 and 26, T. 2N., R. 4W., S.B.B. & M., to the Northeast corner of Section 34, same township and range;

Thence Southerly along the East line of said Section 34 to the Southeast corner of said Section 34;

Thence Westerly along the South line of said Section 34 and of Section 33, same township and range, to the Southwest corner of said Section 33;

Thence Northerly along the West line of said Section 33 to the Southeast corner of Section 29, same township and range;

Thence Westerly along the South line of said Section 29, to the Southwest corner of said Section 29;

Thence Northerly along the West line of said Section 29 to the Southeast corner of Section 19, same township and range;

Thence Westerly along the South line of said Section 19 to the Southwest corner of said Section 19;

Thence Northerly along the West line of said Section 19, and continuing Northerly along the West line of Sections 18 and 7, same township and range, to the point of beginning.

The following territory, however, is excluded from the boundaries of the agency:

All that portion of Township 2 North, Range 3 West, San Bernardino Base and Meridian, in the County of San Bernardino, State of California, according to U. S. Government Survey, being particularly described as follows:

Beginning at the Northwest corner of Section 10 of said Township 2 North, Range 3 West; thence Easterly along the North line of said Section 10 to the Northeast corner thereof; thence Southerly along the Easterly line of Section 10 and the Westerly line of Section 11 of said Township and Range to the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of said Section 11; thence Easterly along the

North line of said Southwest one-quarter of the Northwest one-quarter of Section 11 to the Northeast corner of the Southwest one-quarter of the Northwest one-quarter of said Section 11; thence Southerly along the Easterly line of the Southwest one-quarter of the Northwest one-quarter of said Section 11 and the Easterly line of the West one-half of the Southwest one-quarter of said Section 11 to the Southeast corner of the West one-half of the Southwest one-quarter of said Section 11; thence Easterly along the Southerly line of Section 11 and the Northerly line of Section 14 of said Township and Range to the Northeast corner of the West one-half of the Northeast one-quarter of said Section 14; thence Southerly along the Easterly line of the West one-half of the Northeast one-quarter of said Section 14 to the Southeast corner thereof; thence Westerly along the Southerly line of the Northeast one-quarter of Section 14 to the Southwest corner of the Northeast one-quarter of Section 14; thence Southerly along the Easterly line of the Northeast one-quarter of the Southwest one-quarter of said Section 14 to the Southeast corner thereof; thence Westerly along the Southerly line of the North one-half of the Southwest one-quarter of Section 14 to the Southwest corner of the North one-half of said Section 14; thence Southerly along the West line of Section 14 to the Southwest corner of said Section 14; thence Easterly along the Southerly line of said Section 14 and the Northerly line of Section 23 of said Township and Range to the North one-quarter corner of said Section 23; thence Southerly along the Easterly line of the West one-half of said Section 23 to the Southeast corner of the Northeast one-quarter of the Southwest one-quarter of said Section 23; thence Westerly along the Southerly line of the Northeast one-quarter of the Southwest one-quarter of said Section 23 to the Southwest corner of said Northeast one-quarter of the Southwest one-quarter of said Section 23; thence Southerly along the Easterly line of the Southwest one-quarter of the Southwest one-quarter of said Section 23 to the Southeast corner thereof; thence westerly along the Southerly line of Section 23 to the Southwest corner of said Section 23; thence Northerly along the Westerly line of Section 23 and the Easterly line of Section 22 of said Township and Range to the Northeast corner of the Southeast one-quarter of the Southeast one-quarter of said Section 22; thence Westerly along the Southerly line of the North one-half of the Southeast one-quarter of Section 22 to the Southwest corner thereof; thence Northerly along the West line of the North one-half of the Southeast one-quarter of Section 22 to the Northwest corner of the Southeast one-quarter of said Section 22; thence Westerly along the Southerly line of the North one-half of Sections 22 and 21 of said Township and Range to the Southwest corner of the Northeast one-quarter of said Section 21; thence Northerly along the Westerly line of the Northeast one-quarter of said Section 21 to the Southeast corner of the North one-half of the Northwest one-quarter of Section 21;

thence Westerly along the Southerly line of said North one-half of the Northwest one-quarter of Section 21 to the Northeast corner of the North one-half of the North one-half of the Northwest one-quarter of the Southeast one-quarter of the Northwest one-quarter of said Section 21; thence Southerly along the Easterly line of the North one-half of the North one-half of the Northwest one-quarter of the Southeast one-quarter of the Northwest one-quarter of said Section 21 to the Southeast corner thereof; thence Westerly along the Southerly line of the said North one-half of the North one-half of the Northwest one-quarter of the Southeast one-quarter of the Northwest one-quarter of said Section 21 and the Southerly line of the North one-half of the North one-half of the Northeast one-quarter of the Southwest one-quarter of the Northwest one-quarter of said Section 21 to the Southwest corner thereof; thence Northerly along the West line of said North one-half of the North one-half of the Northeast one-quarter of the Southwest one-quarter of the Northwest one-quarter of said Section 21 to the Northwest corner thereof; thence Westerly along the Southerly line of the North one-half of the Northwest one-quarter of Section 21 to the Southwest corner of the North one-half of the Northwest one-quarter of said Section 21; thence Northerly along the Westerly line of said Section 21 to the corner common to Sections 16, 17, 20 and 21 of said Township and Range; thence Westerly along the Northerly line of said Section 20 to the Northeast corner of the West one-half of the Northwest one-quarter of said Section 20; thence Southerly along the Easterly line of the West one-half of the Northwest one-quarter of said Section 20 to the Southeast corner thereof; thence Westerly along the Southerly line of the Northwest one-quarter of Section 20 to the Southwest corner of the Northwest one-quarter of said Section 20; thence Northerly along the Westerly line of said Section 20 to the corner common to Sections 17, 18, 19 and 20 of said Township and Range; thence Westerly along the Southerly line of said Section 18 to the Southwest corner of the Southeast one-quarter of the Southwest one-quarter of Section 18; thence Northerly along the West line of said Southeast one-quarter of the Southwest one-quarter of Section 18 to the Northwest corner thereof; thence Easterly along the Northerly line of the Southeast one-quarter of the Southwest one-quarter and the Northerly line of the South one-half of the Southeast one-quarter of Section 18 to the Northwest corner of the South one-half of the Southeast one-quarter of said Section 18; thence Northerly along the Westerly line of Sections 17 and 8 of said Township and Range to the Northwest corner of the South one-half of said Section 8; thence Easterly along the Northerly line of the South one-half of Sections 8 and 9 of said Township and Range to the Northeast corner of the South one-half of Section 9; thence Northerly along the line common to Sections 9 and 10 to the Northwest corner of said Section 10, said corner also being the point of beginning.

SEC. 1.5. The territory of the agency shall be divided into five divisions and shall be numbered successively, one through five.

(a) Division 1 shall include the following described territory:

Beginning at the Northeast corner of Section 12, T. 2N., R. 4W., San Bernardino Base and Meridian, said corner being a point in the boundary of the Crestline-Lake Arrowhead Water Agency;

Thence Southerly along the East line of said Section 12 to the Southeast corner of said Section 12;

Thence Westerly along the South line of said Section 12, and continuing Westerly along the South line of Sections 11 and 10, same township and range to the Northeast corner of Section 16, same township and range;

Thence Southerly along the East line of said Section 16 and of Section 21, same township and range, to the Southeast corner of said section 21;

Thence Westerly along the South line of said Section 21 and of Section 20, same township and range, to the Southwest corner of said Section 20, said corner being a point in the Boundary of said Water Agency;

Thence Westerly along said boundary, and continuing along said boundary, following all its various courses, to the point of beginning.

(b) Division 2 shall include the following described territory:

Beginning at the Southwest corner of Section 20, T. 2N., R. 4W., San Bernardino Base & Meridian, said corner being a point in the boundary of the Crestline-Lake Arrowhead Water Agency and a point in the boundary of Division 1 of said Water Agency;

Thence Easterly along the boundary of said Division 1, and continuing along said boundary, following all its various courses to the Northeast corner of Section 15, same township and range;

Thence Southerly along the East line of said Section 15 and of Section 22, same township and range, to an intersection with an un-named road, said intersection being distant 800 feet, more or less, Southerly from the Northeast corner of said Section 22;

Thence Westerly along the center line of said un-named road to an intersection with the center line of Thousand Pines Road;

Thence Southerly along the center line of said Thousand Pines Road, and continuing Southerly along the center line of said Thousand Pines Road as said Road is shown on map of Tract No. 2870, Lake Gregory North Shore Sub. No. 1, recorded in Book 39, Pages 93, 94, and 95, of Maps, in the office of the Recorder, County of San Bernardino, to the South line of said Tract No. 2870;

Thence continuing Southerly along the center line of said Thousand Pines Road, said Road shown as Lot A, lying between Lots 1603 and 1621 of Tract No. 1990, Crestline Village Subdivision No. 12 as per map recorded in Book 28, Page 65, of Maps, in the office of said Recorder, to an intersection with the center line of Lake Drive, shown as Lot A, lying between Lots 1621 and 1677 of said Tract No. 1990;

Thence Easterly along the center line of said Lake Drive to an intersection with the center line of Forest Shade Road, said Road being shown as Lot A, lying between Lots 1517 and 1726 of said Tract No. 1990;

Thence Southerly along the center line of said Forest Shade Road, said Road also being shown as Lot A, lying between Lots 1477 and 1501 of Tract No. 1989, Crestline Village Subdivision No. 11, as per map recorded in Book 28, Page 64, of Maps, in the office of said Recorder, and continuing along the center line of Forest Shade Drive, following all its various courses, as said Drive is shown on map of Tract No. 2914, Crestline Village Subdivision No. 24, recorded in Book 40, Pages 11 and 12, of Maps, in the office of said recorder, to an intersection with the center line of Bowl Road as said intersection is shown on said map of Tract No. 2914;

Thence Northerly along the center line of said Bowl Road to an intersection with the center line of Wildwood Lane as said intersection is shown on map of Tract No. 2604, Crestline Village Subdivision No. 21, recorded in Book 27, Page 26, of Maps, in the office of said Recorder;

Thence Westerly along the center line of said Wildwood Lane, and continuing along said center line, following all its various courses, through Tract No. 2094, Crestline Village Subdivision No. 13, as per map recorded in Book 30, Page 68, of Maps, in the office of said Recorder and along the boundary of Tract No. 1988, Crestline Village Subdivision No. 10, as per map recorded in Book 28, Page 63, of Maps, in the office of said Recorder, to an intersection with the center line of Shady Lane, said Lane being shown as Lot A, lying between Lots 1134 and 1135 of said Tract No. 1988;

Thence Southwesterly along the center line of said Shady Lane to an intersection with the center line of Fern Drive, said Fern Drive being shown as Lot A, lying between Lots 814 and 819, of Tract No. 1770, Crestline Village Subdivision No. 7, as per map recorded in Book 25, Page 56, of Maps in the office of said Recorder;

Thence Southerly along the center line of said Fern Drive to an intersection with the center line of Crest Forest Drive, said Drive being shown as State Highway on map of Tract No. 1835, Crestline Village Subdivision No. 8, recorded in Book 26, Page 46, of Maps, in the office of said Recorder;

Thence Easterly along the center line of said Crest Forest Drive, and continuing along said center line, following all its various courses through Tract No. 2914, Crestline Village Sub-

division No. 24, as per map recorded in Book 40, Pages 11 and 12, of Maps, in the office of said Recorder, and through Tract No. 2495, Crestline Village Subdivision No. 19, as per map recorded in Book 35, Page 62, of Maps, in the office of said Recorder, said Crest Forest Drive being shown as County Road on said map of Tract No. 2495, to an intersection with the East line of Section 27, T. 2N., R. 4W., S.B.B. & M.;

Thence Easterly along the center line of said Crest Forest Drive, and continuing along said center line, following all its various courses, to an intersection with the East line of Section 26, same township and range, and continuing Easterly along the center line of said Crest Forest Drive through Tract No. 2333, Arrowhead Highlands, as per map recorded in Book 33, Pages 79 and 80, of Maps in the office of said Recorder, said Drive being shown as Rim Of The World Drive on said map of Tract No. 2333, to an intersection with the center line of State Highway No. 18;

Thence Easterly along the center line of said State Highway No. 18 to an intersection with the East line of Section 25, same township and range;

Thence Southerly along the East line of said Section 25 to the Southeast corner of said Section 25, said corner being a point in the boundary of said Water Agency;

Thence Westerly along the boundary of said Water Agency, and continuing along said boundary, following all its various courses to the Southwest corner of Section 20, T. 2N., R. 4W., S.B.B. & M., the point of beginning.

(c) Division 3 shall include the following described territory:

Beginning at the Northeast corner of Section 10, T. 2N., R. 3W., San Bernardino Base & Meridian, said corner being a point in the boundary of the Crestline-Lake Arrowhead Water Agency;

Thence Southerly along the East line of said Section 10 to an intersection with the East and West quarter section line of said Section 10;

Thence Westerly along said line, and continuing along the East and West quarter section line of Sections 9 and 8, same township and range, to the West quarter corner of said Section 8;

Thence Southerly along the West line of said Section 8 and of Section 17, same township and range to the Northwest corner of Section 20, same township and range;

Thence Easterly along the North line of said Section 20 to the Northeast corner of said Section 20;

Thence Southerly along the East line of said Section 20 and of Section 29, same township and range to the Southeast corner of said Section 29, said corner being a point in the boundary of said Water Agency;

Thence Westerly along the boundary of said Water Agency to the Southwest corner of Section 30, same township and

range, said corner being a point in the boundary of Division 2 of said Water Agency;

Thence Northerly along the boundary of said Division 2, and continuing along said boundary, following all its various courses, to the Northeast corner of Section 15, T. 2N., R. 3W., S.B.B. & M., said corner being a point in the boundary of Division 1 of said Water Agency;

Thence Easterly along the boundary of said Division 1, and continuing along said boundary following all its various courses, to the Northwest corner of Section 7, T. 2N., R. 3W., S.B.B. & M., said corner being a point in the boundary of said Water Agency;

Thence Easterly along the boundary of said Water Agency to the point of beginning.

(d) Division 4 shall include the following described territory:

Beginning at the Northeast corner of Section 12, T. 2N., R. 3W., San Bernardino Base & Meridian, said corner being a point in the boundary of the Crestline-Lake Arrowhead Water Agency;

Thence Southerly along the East line of said Section 12 and of Sections 13 and 24, same township and range, to the East quarter corner of said Section 24;

Thence Westerly along the East and West quarter section line of said Section 24, and of Sections 23, 22, and 21, same township and range, to the West quarter corner of said Section 21, said quarter corner being a point in the boundary of Division 3 of said Water Agency;

Thence Northerly along the boundary of said Division 3, and continuing along said boundary, following all its various courses, to the Northwest corner of Section 11, same township and range, said corner being a point in the boundary of said Water Agency;

Thence Easterly along the boundary of said Water Agency to the point of beginning.

(e) Division 5 shall include the following described territory:

Beginning at the Northwest corner of Section 7, T. 2N., R. 2W., San Bernardino Base & Meridian, said corner being a point in the boundary of the Crestline-Lake Arrowhead Water Agency;

Thence Easterly along the boundary of said Water Agency, and continuing along said boundary, following all its various courses, to the Southwest corner of Section 28, T. 2N., R. 3W., S.B.B. & M., said corner being a point in the boundary of Division 3 of said Water Agency;

Thence Northerly along the boundary of said Division 3 to the West quarter corner of Section 21, same township and range, said quarter corner being a point in the boundary of Division 4 of said Water Agency;

Thence Easterly along the boundary of said Division 4, and continuing along said boundary, following all its various courses, to the point of beginning.

SEC. 2. The Board of Supervisors of San Bernardino County, within 30 days after the effective date of this act, shall call and give notice of an election to be held in the agency for the purpose of determining whether it shall begin to function and exercise its powers and for the selection of persons who shall serve as directors of the agency if it shall begin to function and exercise its powers.

The election shall be held not less than 75 days, nor more than 90 days, after the effective date of this act. The election shall be conducted and the first elective directors, and those succeeding, shall be nominated and elected pursuant to the provisions of Part 2 (commencing with Section 22600), Division 12 of the Elections Code. Said directors shall be registered to vote within the agency.

Notice of the election shall be published in a newspaper of general circulation circulated within the territory of the agency. Such notice shall be published at least twice, with an interval of at least six (6) days between the first and last publication. Publication shall be complete at least six (6) days before the date of the election.

The notice of the election shall contain:

- (1) The date of the election;
- (2) The name of the agency;
- (3) The proposition to be voted on, as follows: "Shall the Crestline-Lake Arrowhead Water Agency begin to function and exercise its powers in accordance with the provisions of the Crestline-Lake Arrowhead Water Agency Act?"

(4) A statement that the first directors will be elected at that election; and said directors will take office if a majority of the voters, in each of the five divisions, respectively, vote that the agency shall begin to function and exercise its powers.

There shall be printed on the ballot, together with the names of the candidates for director, the following question: "Shall the Crestline-Lake Arrowhead Water Agency begin to function and exercise its powers in accordance with the provisions of the Crestline-Lake Arrowhead Water Agency Act?" following which question, shall be the words "Yes" and "No" on separate lines, with a voting square at the right of each, in which the voter shall indicate by stamping a cross (+) his vote for or against the proposition.

If a majority of the voters, in each of the five divisions, respectively, voting on the proposition vote in its favor, the board of supervisors shall canvass the returns for directors and those five persons receiving the highest number of votes shall be declared elected. The agency shall begin to function and shall exercise its powers, and the Board of Supervisors of the County of San Bernardino, within fifteen (15) days after said election, shall by resolution enter on its minutes a declaration that the agency has begun to function and exercise its

powers, giving the name of the agency, the purposes for which it is formed, and describing its boundaries.

No informality in any proceedings, including informality in the conduct of any election not substantially affecting adversely the legal rights of any person, shall invalidate the organization of the agency.

The validity of the organization of the agency shall not be contested in any proceeding commenced more than ninety (90) days after the date that the organization of the agency is complete.

If less than a majority of the votes cast at the election, in any division of the proposed agency, is in favor of the proposition that the agency should begin to function and exercise its powers, the board of supervisors shall declare the proceedings terminated, except that the Board of Supervisors of San Bernardino County may call a second election on such proposition not later than six months after such first election. Such second election shall be called and conducted in the same manner, and shall be of the same effect, as the first election.

SEC. 2.7. The board of directors of the agency organized under this act shall consist of five members. Each of the five divisions in the agency, respectively, shall be represented by one director.

The term of office of each director shall be four (4) years.

All vacancies occurring in the office of director shall be filled by appointment by the remaining directors elected and appointed. An appointment to fill a vacancy in the office of director shall be for the unexpired term of the office in which the vacancy exists.

Members of the board of directors shall be elected by the voters of the agency as provided in this act.

Of the five divisional electors first elected from each of the five divisions, directors numbered 2 and 4 shall hold office until their successors are elected at the last agency general election and directors numbered 1, 3 and 5 shall hold office until their successors are elected at the next agency general election succeeding the agency general election at which directors numbered 2 and 4 are elected. The term of office of each director, except those first elected, shall be four years.

The succeeding directors shall be nominated and elected at the agency general election which shall be held on the third Tuesday of April of each odd-numbered year. Such elections shall be conducted in accordance with the provisions of Part 2 (commencing with Section 22600) of Division 12 of the Elections Code.

SEC. 3. If, on the 65th day prior to the day fixed for the agency general election, only one person has been nominated for each office of member of the board of directors to be filed at that election, or if no person has been nominated for any one or more of said offices, said board of directors shall by resolution entered in their minutes order that an election shall not be held, and shall immediately request that the board of

supervisors of the county in which the agency or a greater portion thereof is situated, at a regular or special meeting held prior to the day of election, appoint, and the board of supervisors shall thereupon appoint, to the office or offices the person or persons who have been nominated, or if no person or persons have been nominated, any qualified person or persons. The person appointed shall qualify and take office and serve exactly as if elected at an agency general election.

In such case, the publication provided for in Article 6 (commencing with Section 6580), Chapter 2, Division 5 of the Elections Code shall, instead of calling an election, state that no election is to be held but that the board of supervisors will either appoint those nominated for the positions of directors or appoint a qualified person or persons to the office or offices for which no one has been nominated, as the circumstances may warrant.

SEC. 3.5. Notice that such appointment may be made in the event that only one or no nomination is made, shall be published in a newspaper of general circulation in the district, once, not less than seven days and not more than 14 days prior to the final day on which nominations may be made.

SEC. 4. No person shall vote at any Crestline-Lake Arrowhead Water Agency election held under the provisions of this act who is not a voter within the meaning of the Elections Code, residing in the division of the Crestline-Lake Arrowhead Water Agency in which he casts his vote. For the purpose of registering voters who shall be entitled to vote at Crestline-Lake Arrowhead Water Agency elections, the county clerk or registrar of voters is authorized to indicate upon the affidavit of registration whether the voter is a voter of the Crestline-Lake Arrowhead Water Agency.

In case the boundary line of the Crestline-Lake Arrowhead Water Agency crosses the boundary line of a county election precinct only those voters within such Crestline-Lake Arrowhead Water Agency and within such precinct who are registered as being voters within the Crestline-Lake Arrowhead Agency shall be permitted to vote and for that purpose the county clerk or registrar of voters is hereby empowered to provide two sets of ballots within such precincts one containing the names of candidates for office in said Crestline-Lake Arrowhead Water Agency, and the other not containing such names, and it shall be the duty of the election officers in such precincts to furnish only those persons registered as voters within such Crestline-Lake Arrowhead Water Agency with the ballots upon which are printed the names of the candidates for office in Crestline-Lake Arrowhead Water Agency.

SEC. 5. The provisions of the Elections Code so far as they may be applicable shall govern all general Crestline-Lake Arrowhead Water Agency elections and all special Crestline-Lake Arrowhead Water Agency elections except as in this act otherwise provided.

The county clerk or registrar of voters is hereby given authority and he hereby is authorized to have printed upon the official ballots provided for voters at elections for directors a heading in the same form as that provided by the Elections Code for nonpartisan officers which heading shall be marked "Crestline-Lake Arrowhead Water Agency," with a subheading "For a Member of the Board of Directors, Division ----- (here inserting the number of the division)—Vote for One," and beneath which shall appear the names of the candidates for the office of member of the board of directors for such division of the Crestline-Lake Arrowhead Water Agency, with the appropriate blank space for the writing in of the name of a candidate if desired by the voters, and with a voting square placed opposite the space. The ballots thus provided shall be furnished by the precinct officers only to those voters within their respective precincts who shall appear on the register as duly registered voters, within that division of the Crestline-Lake Arrowhead Water Agency and in precincts which lie partly within such Crestline-Lake Arrowhead Water Agency and partly without the precinct board shall be supplied with two kinds of ballots by said county clerk or registrar of voters, one of which shall contain the matters hereinabove set forth for the use of voters of the Crestline-Lake Arrowhead Water Agency, and the other of which shall be without such heading containing the names of candidates for the office of members of the board of directors, and which shall be furnished to those voters who are not voters of the Crestline-Lake Arrowhead Water Agency and who are voters of the precinct.

SEC. 6. The board of directors of the Crestline-Lake Arrowhead Water Agency shall call and canvass all elections involving matters of initiative and referendum and shall call all other elections which it is authorized to canvass.

The governing body calling or conducting any election under the provisions of this act shall fix the compensation to be paid the officers of the election and shall designate the precincts and polling places for each division of the agency and shall appoint the officers of such election, who shall consist of one inspector, one judge and two clerks unless in case of consolidated elections, other officers of election are required by law.

The voting precincts for any such election may be established and the boundaries thereof fixed and described by such governing body, or such voting precincts may consist of either the regular election precincts or portions thereof within the agency established for holding state or county elections, or a consolidation of any or all of such regular election precincts or portions thereof last established. If any Crestline-Lake Arrowhead Water Agency election is consolidated with any state or county election, then the voting precincts, polling places, and election officers for the agency election shall be the same as those established for such state or county election.

SEC. 7. Every incumbent of an elective office, whether elected by popular vote for a full term, or chosen by the board of directors to fill a vacancy is subject to recall by the voters of the Crestline-Lake Arrowhead Water Agency organized under the provisions of this act in accordance with the recall provisions of the Elections Code of the State with reference to cities.

SEC. 8. The board of directors shall be the governing body of the Crestline-Lake Arrowhead Water Agency. It shall hold its first meeting as soon as possible after the certification of the first board of directors and not later than the sixth Monday after the date of the first election of directors as herein provided; it shall choose one of its members president, and shall thereupon provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All legislative sessions of the board of directors whether regular or special shall be open to the public. A majority of the board of directors shall constitute a quorum for the transaction of business. At its first meeting in the month of January of each odd-numbered year, the board of directors shall choose one of its members president.

SEC. 9. The board of directors shall act only by ordinance, resolution, or motion. On all ordinances the roll shall be called and the ayes and noes recorded in the journal of the proceedings of the board of directors. Resolutions and motions may be adopted by voice vote, but on demand of any member the roll shall be called. No ordinance, motion, or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board. The enacting clause of all ordinances passed by the board shall be: "Be it ordained by the Board of Directors of the Crestline-Lake Arrowhead Water Agency as follows:" Each of the members of the board of directors shall receive for each attendance at the meetings of the board twenty dollars (\$20). No directors, however, shall receive pay for more than three meetings in any calendar month. Any vacancy in the board of directors shall be filled by a majority of the remaining directors, the person so chosen shall be a resident of and otherwise qualified to be a director from the division in which the vacancy shall occur and shall hold office for the remainder of the unexpired term.

SEC. 10. The board of directors shall be the governing body of the Crestline-Lake Arrowhead Water Agency and shall at its first meeting, or as soon thereafter as practicable, appoint by a majority vote a secretary, treasurer, attorney, chief engineer, general manager and auditor, define their duties and fix their compensation, and each shall serve at the pleasure of the board, and may employ such additional assistants and employees as they may deem necessary to efficiently

maintain and operate said district. Said board may consolidate the office of secretary and treasurer, and the offices of chief engineer and general manager.

No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen shall be held to invalidate the incorporation of the Crestline-Lake Arrowhead Water Agency, and the legal existence of said Crestline-Lake Arrowhead Water Agency and all proceedings in respect thereto shall be held to be valid and in every respect legal and incontestable.

SEC. 11. The Crestline-Lake Arrowhead Water Agency incorporated as herein provided, shall have all of the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction.
- (3) To adopt a seal and alter it at pleasure.
- (4) To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the Crestline-Lake Arrowhead Water Agency.
- (5) To acquire, or contract to acquire, waterworks or a waterworks system, waters, water rights, lands, rights and privileges and construct, maintain and operate conduits, pipelines, reservoirs, works, machinery and other property useful or necessary to store, convey, supply or otherwise make use of water for a waterworks plant or system for the benefit of the agency, and to complete, extend, add to, repair, or otherwise improve any waterworks or waterworks system acquired by it as herein authorized.
- (6) To construct, maintain, improve and operate public recreational facilities appurtenant to any water reservoir operated or contracted to be operated by the Crestline-Lake Arrowhead Water Agency, and to provide by ordinance regulations binding upon all persons to govern the use of such facilities including regulations imposing reasonable charges for the use thereof. Violation of any such regulation shall be a misdemeanor.
- (7) To lease of and from any person, firm or public or private corporation, or public agency, with the privilege of purchasing or otherwise, all or any part of water storage, transportation or distribution facilities, existing waterworks or a waterworks system, and to carry on and conduct waterworks or a waterworks system; also to sell water under the control of the agency to cities, and to other public corporations and public agencies within the agency, and to the inhabitants of such cities and of other territory within the agency, and to persons, corporations, and other private agencies, within the agency for use within said agency without any preference and

it may whenever the board shall find that there is a surplus of water above that which may be required by such consumers within said agency, sell or otherwise dispose of such surplus water to any persons, firms, public or private corporations or public agencies or other consumers.

(8) To supply and deliver agency water to publicly owned and operated golf courses and other publicly owned and operated recreational facilities and to public schools, school districts and public school properties, and to fix and establish special rates, terms and conditions for the use and sale of water for each of these purposes; provided, however, that this provision shall not be construed to indicate legislative intent either for or against the existence of any power of the agency to furnish water to other persons, firms or corporations at just and reasonable rates.

(9) To have and exercise the right of eminent domain and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to supply the agency or any portion thereof with water, whether such property be already devoted to the same use or otherwise, and may condemn any existing waterworks or system, or any portion thereof, or any waters or water rights owned by any person, firm or private corporation. In proceedings relative to the exercise of such right, the agency shall have all of the rights, powers and privileges of a city; provided, the agency in exercising such power, shall in addition to the damage for the taking, injury, or destruction of property, also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables or poles of any public utility which is required to be removed to a new location. No action in eminent domain to acquire property or interests therein outside the boundaries of the agency shall be commenced unless the board of supervisors of each affected county has consented to such acquisition by resolution.

(10) To issue bonds, borrow money and incur indebtedness as authorized by law or in this act provided; also to refund (by the issuance of the same obligations following the same procedure) or retire any indebtedness or lien that may exist against the agency or property thereof; also to issue warrants to pay the formation expenses of the agency, which warrants may bear interest at a rate not exceeding 6 percent per annum from the date of issue until funds are available to pay the warrants, and which formation expenses may include fees of attorneys and others employed to conduct the formation proceedings.

(11) To issue negotiable promissory notes bearing interest at a rate not exceeding 6 percent per annum; provided, however, that said notes shall be general obligations of the agency payable from revenues and taxes in the same manner as bonds of said agency; and provided further, that the maturity shall not be later than three years from the date thereof and that the total aggregate amount of such notes outstanding

at any one time may be at least equal to seventy-five thousand dollars (\$75,000) but shall not otherwise exceed the lesser of either five hundred thousand dollars (\$500,000) or 2 percent of the assessed valuation of the taxable property in the Crestline-Lake Arrowhead Water Agency or, if said assessed valuation is not obtainable, 2 percent of the county auditor's estimate of the assessed valuation of the taxable property in the agency evidenced by his certificate.

(12) To cause taxes to be levied, in the manner hereinafter provided, for the purpose of paying any obligation of the agency, including its formation expenses and any warrants issued therefor.

(13) To restrict the use of agency water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of agency water or the use of agency water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the agency; to prohibit use of such water during such periods for specific uses which the agency may from time to time find to be nonessential.

(14) To prescribe and define by ordinance the restrictions, prohibitions and exclusions referred to in subdivision (13) hereof. Every ordinance relating to the matters referred to in this subdivision shall be in full force and effect forthwith upon adoption, but shall be published pursuant to Section 6061 of the Government Code in full in a newspaper of general circulation, printed, published and circulated in the agency within 10 days after adoption, or if there be no such newspaper it shall be posted within said time in three public places within the agency.

(15) To make contracts, to employ labor, and do all acts necessary for the full exercise of the agency's powers.

(16) In case of condemnation proceedings the board shall proceed in the name of the agency.

(17) To provide by ordinance of its board of directors for the pensioning of officers or employees and the creation of a special fund for the purpose of paying such pensions, and the accumulation of contributions to said fund from the revenues of the agency, the wages of officers or employees, voluntary contributions, gifts, donations or any source of revenue not inconsistent with the general powers of the board, and to contract with any insurance corporation or any other insurance carrier for the maintenance of a service covering the pension of such officers or employees, and to provide in such ordinance for the terms and conditions under which such pensions shall be awarded, and for the time and extent of service of officers or employees before such pensions shall be available to them.

(18) To acquire, control, distribute, store, spread, sink, treat, purify, reclaim, recapture, and salvage any water, including sewage and storm waters, for the beneficial use or uses and protection of the agency or its inhabitants or the owners of rights to water therein.

(19) To join with one or more public agencies, private corporations or other persons for the purpose of carrying out any of the powers of the agency, and for that purpose to contract with such other public agencies or private corporations or persons for the purpose of financing such acquisitions, constructions and operations. Such contracts may provide for contributions to be made by each party thereto and for the division and apportionment of the expenses of such acquisitions and operations, and the division and apportionment of the benefits, the services and products therefrom, and may provide for any agency to effect such acquisitions and to carry on such operations, and shall provide in the powers and methods of procedure for such agency the method by which such agency may contract. Such contracts with other public agencies or private corporations or persons may contain such other and further covenants and agreements as may be necessary or convenient to accomplish the purposes thereof. The term "public agency," as used in this subdivision, shall be deemed to mean and include the United States of America or any department or agency thereof, the State of California or any department or agency thereof, a county, city, public corporation, the Metropolitan Water District of Southern California, or other public district of this State. The term "private corporation," as used in this subdivision, shall be deemed to mean and include any private corporation organized under the laws of the United States of America or of this or any other state thereof. Contracts mentioned herein include those made with the United States, under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto or any other act of Congress heretofore or hereafter enacted permitting co-operation. Any such contract with the United States of America or any department or agency thereof, or with any private corporation organized under the laws of the United States of America, by which the Crestline-Lake Arrowhead Water Agency or improvement district thereof incurs an indebtedness or liability exceeding in any year the income and revenue for such year shall not be executed without the assent of two-thirds of the qualified electors of the agency or improvement district voting at a special election to be held for that purpose, such election to be called and held, so far as practicable, in the same manner as bond elections for the agency or improvement district.

(20) To commence, maintain, intervene in, and compromise, in the name of the agency, any action or proceeding involving or affecting the ownership or use of water or water rights within the agency, used or useful for any purpose of the district, or a common benefit to lands within the agency or its inhabitants.

(21) Distribute water to persons in exchange for ceasing or reducing ground water extractions and to fix the terms and conditions of any contract under which producers may

agree voluntarily to use replenishment water from a nontributary source in lieu of ground water, and to such end a district may become a party to such contract and pay from district funds such portion of the cost of such replenishment waters as will encourage the purchase and use of such water in lieu of pumping so long as the persons or property within the district are directly or indirectly benefited by the resulting replenishment.

(22) To issue bonds under Section 18 of this act for the purpose of providing money required to be paid to the agency organized under the Metropolitan Water District Act by the board of directors of the agency as all or part of the terms and conditions upon which the corporate area of the Crestline-Lake Arrowhead Water Agency may be annexed to and become a part of said metropolitan water district. The amount of said bonds may include expenses of all proceedings for the authorization, issuance and sale of the bonds.

(23) To issue revenue bonds for any purpose for which such bonds could be issued under the provisions of the Revenue Bond Law of 1941 or any other law which by its terms is applicable to districts formed under this act.

(24) To use the Improvement Act of 1911 for the construction of any facilities authorized to be constructed under the provisions of this act. The powers and duties conferred by the Improvement Act of 1911 on the various boards, officers and agents of cities shall be exercised by the respective boards, officers and agents of the Crestline-Lake Arrowhead Water Agency. In the application of said Improvement Act of 1911 to proceedings instituted by the Crestline-Lake Arrowhead Water Agency, the terms used in said Improvement Act of 1911 shall have the following meanings:

(a) "City Council" and "council" shall mean the board of directors of the Crestline-Lake Arrowhead Water Agency.

(b) "Municipality" and "city" shall mean the Crestline-Lake Arrowhead Water Agency.

(c) "Clerk" and "city clerk" shall mean the secretary.

(d) "Superintendent of streets," "street superintendent" and "city engineer" shall mean the chief engineer of the agency.

(e) "Tax Collector" shall mean the county tax collector.

(f) "Treasurer" and "city treasurer" shall mean the treasurer of the Crestline-Lake Arrowhead Water Agency.

(g) "Mayor" shall mean the president of the board of directors of the Crestline-Lake Arrowhead Agency.

(h) "Right of way" shall mean any parcel of land in, on, under or through which a right of way or easement has been granted to the agency for the purpose of constructing and maintaining any works or improvements of the Crestline-Lake Arrowhead Water Agency.

Any certificates or documents required to be filed or recorded in the office of the superintendent of streets or street superin-

tendent shall be filed or recorded in the office of the secretary of the Crestline-Lake Arrowhead Water Agency.

(25) The agency shall have the power to construct, operate and maintain works to develop hydroelectric energy, for use by the agency in the operation of its works or as a means of assisting in financing the construction, operation and maintenance of its projects for the control, conservation, diversion and transmission of water and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at the bus bar and at wholesale to any public agency or private entity, or both, or the federal or state government.

(26) In connection with the construction and operation of the works of the agency, the agency shall have the power to contract for the sale of the right to use falling water for electric energy purposes with any public agency or private entity engaged in the retail distribution of electric energy, for a term not to exceed 50 years.

SEC. 12. A finding by the board of directors upon the existence, threat, or duration of an emergency or shortage of water or upon the matter of necessity or any other matter or condition referred to in subdivision (13) or (14) of said Section 11, shall be made by resolution or ordinance, and shall be prima facie evidence of the fact or matter so found, and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding shall have been made by the board by resolution or ordinance. Such finding shall be received in evidence in any civil or criminal proceeding in which it may be offered and shall be proof and evidence of the fact or matter found until rebutted or overcome by other sufficient evidence received in such proceeding. A copy of any resolution or ordinance setting forth such finding shall, when certified by the secretary of the agency, be evidence that the finding was made by the agency as shown by the resolution or ordinance and certification.

SEC. 13. From and after the publication or posting of any ordinance as provided in subdivision (14) of Section 11 of this act, it is hereby declared to be and it shall be a misdemeanor for any person, firm or corporation to use or apply water received from the agency contrary to or in violation of such restriction or prohibition, until such ordinance shall have been repealed or such emergency or threatened emergency shall have ceased, and upon conviction thereof such person, firm or corporation shall be punished by being imprisoned in the county jail for not more than 30 days or by fine of not more than three hundred dollars (\$300), or by both such fine and imprisonment.

SEC. 14. The Crestline-Lake Arrowhead Water Agency may at any time after execution of any contract authorized by subdivision (19) of Section 11 bring an action in the superior court in the county where the greater part of the land of the agency is situated to determine the validity of the contract.

The action is in rem. Jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in a newspaper of general circulation published in the county where the action is pending and designated by the court in which the action is pending. Jurisdiction is complete 10 days after the completion of the publication of summons. Before the expiration of the 30 days after jurisdiction is acquired any agency taxpayer may appear and contest the validity of the contract. If no action has been brought by the agency pursuant to this section the agency taxpayer may at any time within 30 days after the execution of such contract bring an action in such superior court to determine the validity of the contract. The agency shall be the defendant. If more than one action is pending at the same time concerning similar contests provided for by this section, they shall be consolidated and tried together. The rules of pleading and practice not inconsistent with the provisions of this section are applicable to all actions provided for by this section. In an action provided for by this section, the court shall disregard any irregularity or omission which does not affect the substantial rights of the parties. The action shall be speedily tried. The judgment shall declare the contract either valid or invalid. The motion for a new trial of any action provided by this section shall be heard and determined within 10 days from the filing of the notice of intention. The costs of any hearing or contest may be allowed and apportioned between the parties or taxed to the losing party. Any party may appeal at any time within 30 days after the entry of the judgment. The appeal shall be heard and determined within three months, from the taking of the appeal. No contest of any thing or matter herein provided shall be made other than in the time and manner herein specified.

SEC. 15. All powers, privileges and duties vested in or imposed upon the Crestline-Lake Arrowhead Water Agency incorporated hereunder shall be exercised and performed by and through the board of directors; provided, however, that the exercise of any and all executive, administrative and ministerial powers may be by said board of directors delegated and redelegated to any of the offices created hereby and by the board of directors acting hereunder.

The board of directors shall have all of the following powers:

(1) To fix the time and place or places at which its regular meetings shall be held and shall provide for the calling and holding of special meetings.

(2) To fix the location of the principal place of business of the agency and the location of all offices and departments maintained hereunder.

(3) To prescribe by ordinance a system of business administration and to create any and all necessary offices and to establish and re-establish the powers and duties and compensation of all officers and employees and to require and fix the amount of all official bonds necessary for the protection of the funds and property of the agency.

(4) To prescribe by ordinance a system of civil service.

(5) To delegate and redelegate by ordinance to officers of the agency power to employ clerical, legal and engineering assistants and labor, and under such conditions and restrictions as shall be fixed by the directors, power to bind the agency by contract.

(6) To prescribe a method of auditing and allowing or rejecting claims and demands.

(7) To prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures or equipment, or the performance or furnishing of labor, materials, or supplies, necessary or convenient for carrying out any of the purposes of this act or for the acquisition or disposal of any real or personal property; provided, that all contracts for any improvement or unit of work, when the cost according to the estimate of the engineer will exceed five thousand dollars (\$5,000), shall be let to the lowest responsible bidder or bidders as provided in this section. The board shall first determine whether the contract shall be let as a single unit for the whole of the work, or divided into severable convenient parts. The board shall advertise for bids by three (3) insertions in a daily newspaper of general circulation or by two (2) insertions in a weekly newspaper of general circulation printed and published in the agency, inviting sealed proposals for the construction or performance of the improvement or work. The call for bids shall state whether the work shall be performed in one unit or divided into parts. The work may be let under a single contract or several contracts, as stated in such call. The board shall require the successful bidders to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material. The bonds shall comply with Chapter 3 (commencing with Section 4200) of Division 5 of Title 1 of the Government Code. The board may reject any and all bids. In the event all proposals are rejected or no proposals are received, or the estimated cost of the work does not exceed five thousand dollars (\$5,000), or the work consists of channel protection, maintenance work, or emergency work when necessary in order to protect life and property from impending flood damage, the board may have the work done by force account without advertising for bids. The agency may purchase in the open market without advertising for bids, materials and supplies for use in any work, either under contract or by force account; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds five thousand dollars (\$5,000), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

(8) To fix the rates at which water should be sold, and to establish different rates for different classes or conditions of

service; provided, that rates shall be uniform for like classes or conditions of service throughout the agency, but any special water rate fixed in accordance with terms and conditions of annexation fixed by the board under the provisions of Section 32 or 33 hereof, shall be deemed to be a rate for a different class or condition of service.

SEC. 16. Except as herein provided, no director of the Crestline-Lake Arrowhead Water Agency shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board of directors, and no officer or employee of any agency shall in any manner be interested, directly or indirectly, in any contract made by such officer or employee pursuant to discretionary authority vested in him, or in the benefits to be derived therefrom. For any violation of this section such director or other officer or employee of the Crestline-Lake Arrowhead Water Agency shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment. Neither this section nor any other law shall, however, be deemed to invalidate any contract or instrument, nor to establish or define any misdemeanor or other crime, merely because such director or other officer or employee shall have any interest in such contract or instrument, or shall derive any benefit therefrom in any of the following cases:

(a) If such director or other officer or employee shall own or control, directly or indirectly, not more than 5 per centum of the outstanding stock or securities of the contracting corporation.

(b) If such contract or instrument shall be entered into pursuant to the provisions of any ordinance or regulation of the agency of uniform application and which ordinance or regulation shall have become effective prior to the making or execution of such contract or instrument.

SEC. 17. The president and secretary in addition to the respective duties imposed on them by law shall perform such duties as may be imposed on them by the board of directors. The treasurer, or such other person or persons as may be authorized by the board of directors, shall draw checks or warrants to pay demands when such demands shall have been audited and approved in the manner prescribed by the board of directors.

The chief engineer shall have full charge and control of the maintenance operation and construction of the waterworks or waterworks system of the agency with full power and authority to employ and discharge all employees and assistants at pleasure, prescribe their duties, fix their compensation, subject to the approval of the board of directors.

The chief engineer shall perform such duties as may be imposed on him by the board of directors. The chief engineer

shall report to the board of directors in accordance with such rules and regulations as they may direct.

The attorney shall be the legal adviser of the agency and shall perform such other duties as may be prescribed by the board of directors.

The board of directors shall designate a depository or depositories to have the custody of the funds of the agency, all of which depositories shall give security sufficient to secure the agency against possible loss, and who shall pay the warrants drawn by the treasurer for demands against the agency under such rules as the directors may prescribe.

The chief engineer, secretary and treasurer, and all other employees or assistants of said agency who may be required so to do by the board of directors shall give such bonds to the agency conditioned for the faithful performance of their duties as the board of directors from time to time may provide. The premiums on such bonds shall be paid by the agency.

SEC. 18. Whenever the board of directors deems it necessary for the agency to incur a bonded indebtedness for the acquisition, construction, completion or repair of any or all improvements, works or property mentioned in this act, the board shall, by resolution, so declare and call an election to be held in said agency for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of said agency. Said resolution shall state: (a) the purpose for which the proposed debt is to be incurred, which may include expenses of all proceedings for the authorization, issuance and sale of the bonds; (b) the amount of debt to be incurred; (c) the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (d) the maximum rate of interest to be paid, which shall not exceed 5 percent per annum, payable semiannually, except that interest for the first year may be payable at the end of said year; (e) the measure to be submitted to the voters; (f) the date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred; and (g) the designation of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct. The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing pursuant to Section 6066 of the Government Code the resolution calling the election, the last publication to be made not less than two weeks prior to the date of the proposed election, in at least one newspaper published in such agency, then such resolution shall be posted in three public places in such agency not less than two weeks prior to the date of the proposed election. No other notice of such election need be given. The returns of such election shall be made, the votes canvassed by said board of di-

rectors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code, so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted.

Any action or proceeding wherein the validity of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto shall be held to be valid and in every respect legal and incontestable.

SEC. 19. Whenever the board of directors deems it necessary to incur a bonded indebtedness for the acquisition, construction, completion, or repair of any or all improvements, works or property mentioned in this act and to provide for such bonded indebtedness to be payable from taxes levied upon less than all of the agency, the board shall, by resolution so declare and state: (a) the purpose for which the proposed debt is to be incurred; (b) the amount of debt to be incurred, which may include expenses of all proceedings for the authorization, issuance and the sale of the bonds; (c) that the board intends to form an improvement district of a portion of the agency which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, and to call an election in such proposed improvement district on a date to be fixed for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the agency for said improvement district; (d) that taxes for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable property in the improvement district; (e) that a general description of the proposed improvement together with a map showing the exterior boundaries of said proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement is on file with the secretary of the agency and is available for inspection by any person or persons interested; (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the proposed improvement and the amount of debt to be incurred; and (g) that at the time and place specified in the resolution any person interested, including all persons owning property in the agency or in the proposed improvement district, will be heard. Notice of said hearing shall be given by publishing a copy of the resolution pursuant to Section 6066 of the Government Code prior to the time fixed for

the hearing in a newspaper printed and published in the Crestline-Lake Arrowhead Water Agency, if there is a newspaper printed and published in such agency. Such notice shall also be given by posting a copy of said resolution in six public places within the proposed improvement district at least two weeks before the time fixed for said hearing.

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the agency or within the proposed improvement district may appear and present any matters material to the questions set forth in the resolution declaring the necessity for incurring the bonded indebtedness. The board shall have power to change the purpose for which the proposed debt is to be incurred, or the amount of bonded debt to be incurred, or the boundaries of said proposed improvement district, or one or all of said matters; provided, however, that said board shall not change such boundaries so as to include any territory which will not, in its judgment, be benefited by said improvement.

The purpose, amount of bonded debt or boundaries shall not be changed by said board except after notices of its intention to do so, given by publication pursuant to Section 6061 of the Government Code in a newspaper printed and published in said Crestline-Lake Arrowhead Water Agency, if there is a newspaper printed and published in such agency, and by posting in six public places within said proposed improvement district. Said notice shall state the changed purpose and debt proposed and that the exterior boundaries as proposed to be changed are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, and specify the time and place for hearing on such change, which time shall be at least 10 days after publication or posting of said notice. At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the agency or the proposed improvement district, may appear and present any matters material to the changes stated in the notice. At the conclusion of the hearing the board shall by resolution determine whether it is deemed necessary to incur the bonded indebtedness, and, if so, the resolution shall also state the purpose for which said proposed debt is to be incurred, the amount of the proposed debt, that the exterior boundaries of the portion of the agency which will be benefited are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district, and that said portion of the agency set forth on said map shall thereupon constitute and be known as "Improvement District No. _____ of Crestline-Lake Arrowhead Water Agency," and the determinations made in said resolution shall be final and

conclusive. After the formation of such improvement district within the Crestline-Lake Arrowhead Water Agency pursuant to this section, all proceedings for the purpose of a bond election shall be limited, and shall apply only to the improvement district, and taxes for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable property in the improvement district.

After the board has made its determination of the matters required to be determined by said last mentioned resolution, and if the board deems it necessary to incur the bonded indebtedness, the board shall by a further resolution call a special election in said improvement district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the agency for said improvement district. Said resolution shall state: (a) that the board deems it necessary to incur the bonded indebtedness; (b) the purpose for which the bonded indebtedness will be incurred; (c) the amount of debt to be incurred; (d) the improvement district to be benefited by said indebtedness, as set forth in the resolution making determinations and that a map showing the exterior boundaries of said improvement district is on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district; (e) that taxes for the payment of such bonds and the interest thereon shall be levied exclusively upon the taxable property in said improvement district; (f) the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (g) the maximum rate of interest to be paid, which shall not exceed 5 percent per annum, payable semiannually, except that interest for the first year may be payable at the end of the said year; (h) the measure to be submitted to the voters; (i) the date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred; and (j) the designation of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct.

The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing pursuant to Section 6066 of the Government Code the resolution calling the election prior to the date of the proposed election in at least one newspaper printed and published in the Crestline-Lake Arrowhead Water Agency, if there is a newspaper printed and published in such agency. Such resolution shall also be posted in three public places in such improvement district not less than two weeks prior to the date of the proposed election. No other notice of such election need be given.

The returns of such election shall be made, the votes canvassed by said board of directors within seven days, following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted.

Any action or proceeding, wherein the validity of the formation of the improvement district or of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto, including the formation of the improvement district, shall be held to be valid and in every respect legal and incontestable.

SEC. 20. Any portion of the Crestline-Lake Arrowhead Water Agency whether contiguous or not to an improvement district thereof may be annexed to said improvement district in the following manner. A petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of not less than sixty percent (60%) of the land by area in the portion proposed to be annexed, which land as so represented in said petition shall have an assessed valuation of not less than fifty percent (50%) of the land so proposed to be annexed. The petition shall contain the following: (a) a description of the area proposed to be annexed, which may be made by reference to a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the area proposed to be annexed, or in any other definite manner; (b) the terms and conditions upon which said proposed area may be annexed as theretofore determined by resolution adopted by the board of directors of the agency; and (c) a prayer that the board of directors declare such area to be annexed to the improvement district. Said petition shall be accompanied by a certified check payable to the order of the agency in sufficient sum to reimburse said agency for expenses of processing and publishing the petition and preparing and making the filings required by law.

Within 10 days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the required number of property owners; and, if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that

said petition is signed by the requisite number of property owners, or is not so signed, he shall certify that the same is sufficient, or insufficient, as the case may be.

If by the certificate of the secretary of the agency the petition is found to be insufficient, said petition may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary of the agency shall within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as herein-before provided.

If by the certificate of the secretary such petition, or petition as amended, is shown to be sufficient the secretary shall cause notice of hearing on the petition to be published and posted without delay.

The text of said petition shall be published pursuant to Section 6066 of the Government Code prior to the time at which the same is to be presented to the board of directors of the agency in at least one newspaper printed and published in the Crestline-Lake Arrowhead Water Agency, if there is a newspaper printed and published in such agency, together with a notice stating the time and place of the meeting at which the same will be presented. When contained upon one or more instruments one copy only of such petition need be published. No more than five of the names attached to said petition need appear in said publication of said petition and notice, but the number of signers shall be stated. Said notice and petition shall also be posted in three public places in the improvement district and three public places in the area proposed to be annexed, at least two weeks prior to the hearing.

The board of directors of the agency shall proceed to hear the petition at the time and place fixed therefor and any person residing within the municipal water district or improvement district or owning taxable property in said district or improvement district shall be entitled to appear and be heard at such hearing. Such hearing may be continued from time to time by the board of directors of the agency. At the conclusion of the hearing, and if the board of directors finds and determines from the evidence presented at said hearing that the area proposed to be annexed to an improvement district will be benefited thereby, and that the improvement district to which said area proposed to be annexed will also be benefited thereby and will not be injured thereby, then and in such case the board of directors of the agency may, by resolution, approve such annexation, describing the territory so annexed, which may be by reference to a map on file with the secretary of the agency which shall govern for all details as to the extent of the annexed area, or in any other definite manner and approve the terms and conditions of annexation as theretofore determined by resolution of the board of directors.

From and after the date of the adoption of such resolution the area named therein shall be deemed added to and shall form a part of said improvement district and the taxable property therein shall be subject to taxation thereafter for the purposes of said improvement district, including the payment of the principal of and interest on bonds and other obligations of such improvement district authorized and outstanding at the time of said annexation as if said annexed property had always been a part of said improvement district, and the board of directors of the Crestline-Lake Arrowhead Water Agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

Any action or proceeding wherein the validity of any such annexation is contested, questioned or denied shall be commenced within three months after the date of issuance by the Secretary of State of his certificate; otherwise said annexation shall be held to be valid and in every respect legal and incontestable.

SEC. 21. Whenever the board of directors deems it necessary to form an improvement district of a portion of the agency for a purpose other than the incurring of bonded indebtedness under Section 19 of this act it shall by resolution so declare and state: (a) the purpose for which the proposed improvement district is to be formed, (b) the estimated expense of carrying out said purpose, (c) that the board intends to form an improvement district of a portion of the agency which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, (d) that taxes for carrying out said purpose shall be levied exclusively upon the taxable property in said proposed improvement district, (e) that a map showing the exterior boundaries of said proposed improvement district, with relation to the territory immediately contiguous thereto, is on file with the secretary of the agency and is available for inspection by any person or persons interested, (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the purpose for which it is to be formed, and the estimated expense of carrying out said purpose and (g) that at said time and place any person interested, including all persons owning property in the agency or in the proposed improvement district will be heard. Notice of said hearing shall be given by publishing a copy of the resolution pursuant to Section 6066 of the Government Code prior to the time fixed for the hearing in a newspaper circulated in the Crestline-Lake Arrowhead Water Agency, if there is a newspaper circulated therein. Said notice shall also be given by posting a copy of said resolution in three public places within the proposed

improvement district for at least two weeks before the time fixed for said hearing.

At the time and place so fixed, or at any time or place to which the hearing is adjourned, the board shall proceed with the hearing at which hearing any person interested, including all persons owning property in the agency, or in the proposed improvement district, may appear and present any matters material to the questions set forth in the resolution. At the conclusion of the hearing the board shall by resolution determine whether it is necessary to form said improvement district, and if so, the resolution shall also state the purpose for which the proposed improvement district is to be formed, estimated expense of carrying out said purpose, that the exterior boundaries of the portion of the agency which will be benefited are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district, and that said portion of the agency set forth on said map, shall thereupon constitute and be known as "Improvement District (A, B, C, or other letter designation) of the Crestline-Lake Arrowhead Water Agency," and the determinations made in said resolution shall be final and conclusive. After the formation of such improvement district within the Crestline-Lake Arrowhead Water Agency pursuant to this section all taxes levied for the carrying out of said purpose shall be levied exclusively upon the taxable property in the improvement district.

A copy of the resolution forming the improvement district shall be published pursuant to Section 6066 of the Government Code in a newspaper printed and published in the agency, if there is a newspaper printed and published in the agency, and a copy of said resolution shall also be posted in three public places within the proposed improvement district for at least two weeks. Said resolution shall not be effective until the 31st day after completion of said publication and posting. If before said effective date a petition signed by not less than 10 percent of the voters of the proposed improvement district requesting that an election be held on the formation thereof is presented to the board of directors said board shall call a special election in the proposed improvement district for the purpose of submitting the question of the formation of the improvement district to the voters of said proposed improvement district.

The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing the resolution calling the election pursuant to Section 6066 of the Government Code prior to the date of the proposed election in at least one newspaper printed and published in the Crestline-Lake Arrowhead Water Agency, if there is a newspaper printed and published in such agency. Such resolution shall also be posted in

three public places in such improvement district not less than two weeks prior to the date of the proposed election. No other notice of such election need be given.

The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the elections shall have otherwise been fairly conducted.

If from such returns it appears that a majority of the votes cast at such election were in favor of the formation of such improvement district, the formation of such improvement district shall be complete.

Any action or proceeding wherein the validity of the formation of the improvement district or of any of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the effective date of the resolution forming such district, or if an election is held, within three months from the date of such election, otherwise the formation of the improvement district and all proceedings in relation thereto, shall be held to be valid and in every respect legal and incontestable.

SEC. 22. If from the returns it appears that more than two-thirds of the votes cast in an election held pursuant to the provisions of Section 18 or of Section 19 of this act, were in favor of and assented to the incurring of such indebtedness, then the board of directors may, by resolution, at such time or times as it deems proper, issue bonds of the agency for the whole or any part of the amount of the indebtedness so authorized and may from time to time provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of such bonds authorized shall have been issued. Said full amount of bonds may be divided into two or more series and different dates fixed for the payment of each of the series. The maximum term which the bonds of any series shall run before maturity shall not exceed 40 years from the date of each series respectively.

The board of directors shall, by resolution, prescribe the form of the bonds and the form of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five years from the date of the bonds or the date of the bonds of each series respectively. The bonds shall bear interest at a rate or rates not to exceed five percent (5%) per annum, payable semiannually, except that interest for the first year may be payable at the end of said year. The board of directors may also provide for call and redemption of bonds

prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon.

The denomination of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one hundred dollars (\$100). The principal and interest shall be payable in lawful money of the United States at the office of the treasurer of the district or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

The bonds shall be dated, numbered consecutively, and be signed by the president and treasurer of the agency, countersigned by the secretary of the agency, and the official seal of the agency attached. The interest coupons of such bonds shall be signed by the treasurer of said agency. All such signatures and countersignatures may be printed, lithographed or mechanically reproduced, except that one of said signatures or countersignatures to said bonds shall be manually affixed.

If the bond election proceedings have been limited to and have applied only to an improvement district within said district, said bonds are bonds of the agency and shall be issued in the name of the agency and shall be designated "Bonds of the Crestline-Lake Arrowhead Water Agency for Improvement District No. _____" and each bond and all interest coupons thereof shall state that taxes levied for the payment thereof shall be levied exclusively upon the taxable property in said improvement district.

Before selling the bonds, or any part thereof, the board of directors shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if said board determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

The proceeds arising from the sale of bonds shall be paid into the treasury of the agency and placed to the credit of a special improvement fund and expended only for the purpose for which the indebtedness was created; provided, however, that when said purpose has been accomplished any moneys remaining in said special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Said remaining moneys remaining from the sale of bonds of the agency may also be used for some other agency purpose. Such moneys remaining from the sale of bonds of the agency for an improvement district therein may also be used for any purpose which will benefit the property in the improvement district. Said moneys may not be used for said other agency purpose or improvement district purpose until two-thirds of the qualified voters of said agency

or improvement district have consented thereto at a special election called in said agency or improvement district by the board of directors. Notice of said election shall be given in the manner provided for bond elections in said agency or improvement district, as the case may be, and in other respects the election shall be conducted as are other agency elections.

SEC. 23. Any bonds issued by the Crestline-Lake Arrowhead Water Agency are hereby given the same force, value and use as bonds issued by any city and shall be exempt from all taxation within the State of California.

SEC. 24. The board of directors shall have power to construct works along and across any stream of water, watercourse, street, avenue, highway, canal, ditch or flume, or across any railway which the route of said works may intersect or cross; provided, such works are constructed in such manner as to afford security for life and property, and said board of directors shall restore the crossings and intersections to their former state as near as may be, or in a manner not to have impaired unnecessarily their usefulness. Every company whose right-of-way shall be intersected or crossed by said works shall unite with said board of directors in forming said intersections and crossings and grant the rights therefor. The right-of-way is hereby given, dedicated and set apart to locate, construct and maintain such works along and across any street or public highway and over and through any of the lands which are now or may be the property of this State, and to have the same rights and privileges appertaining thereto as have been or may be granted to cities within the State. Any use, under this section, of a public highway now or hereafter constituted a state highway shall be subject to the provisions of Chapter 3 (commencing with Section 660) of Division 1 of the Streets and Highways Code.

SEC. 25. All claims for money and damages against the Crestline-Lake Arrowhead Water Agency are governed by Chapter 2 (commencing with Section 700) of Division 3.5 of Title 1 of the Government Code, except as provided therein, or by other statutes and regulations expressly applicable thereto.

SEC. 26. No director or other officer, agent, or employee of the agency shall be liable for any act or omission of any officer, agent or employee appointed or employed by him unless he had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which such person was appointed or employed or unless he retains the inefficient or incompetent person after notice of the inefficiency or incompetency.

The agency may employ counsel to defend any litigation brought against any director or other officer, agent, or employee thereof, on account of his official action, and the fees and expenses involved therein shall be a lawful charge against the agency.

If any director or other officer, agent, or employee of the agency is held liable for any act or omission in his official capacity, and any judgment is rendered thereon, the agency, except in case of his actual fraud or actual malice, shall pay the judgment without obligation for repayment by such director or other officer, agent, or employee.

SEC. 27. The board of directors, so far as practicable, shall fix such rate or rates for water in the agency and in each improvement district therein as will result in revenues which will pay the operating expenses of the agency, and the improvement district, provide for repairs and depreciation of works, provide a reasonable surplus for improvements, extensions, and enlargements, pay the interest on any bonded debt, and provide a sinking or other fund for the payment of the principal of such debt as it may become due. Said rates for water in each improvement district may vary from the rates of the agency and from other improvement districts therein.

SEC. 28. If the revenues of the agency, or of any improvement district therein, are or in the judgment of the board of directors will probably be inadequate for any cause to pay the principal of or interest on any bonded debt of the agency, or any improvement district thereof, as it becomes due and also the amounts set forth in Section 27 of this act, the board of directors shall cause a tax to be levied, as herein provided, sufficient to provide for such deficit and to pay the amount of such principal and interest as will become due before the proceeds of a tax levied at the next general tax levy will be available.

SEC. 29. The board of directors shall determine the amounts necessary to be raised by taxation during the fiscal year and shall fix the rate or rates of tax to be levied which will raise the amounts of money required by the agency, and within a reasonable time previous to the time when the board of supervisors is required by law to fix its tax rate, the board of directors shall certify to the board of supervisors the rate or rates so fixed and shall furnish to the board of supervisors a statement in writing containing the following: (a) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for the payment of the principal of and interest on any bonded debt of the agency or of an improvement district thereof as will become due before the proceeds of a tax levied at the next general tax levy will be available; (b) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for all other purposes of the district. The board of directors shall direct that at the time and in the manner required by law for the levying of taxes for county purposes, such board of supervisors shall levy, in addition to such other tax as may be levied by such board of supervisors, at the rate or rates so fixed and determined by the board of directors, a tax upon the property within the agency, or improvement district thereof benefited by the bonded debt, as the case may be, and it is made the

duty of the officer or body having authority to levy taxes within each county to levy the tax so required; provided, that the tax rate set by the board shall in no event exceed one dollar (\$1) per one hundred dollars (\$100) of assessed valuation unless a higher rate has been approved by the voters of the agency at an election called by the board and held for that purpose. The resolution of the board calling the special election, and the ballot, shall stipulate the amount of the tax rate increase, the period of time in which such increase shall remain effective, and the reasons for such increase. A special election calling for a tax rate increase may be consolidated with any other election pursuant to the provisions of Chapter 4 (commencing with Section 23300) of Part 2 of Division 12 of the Elections Code. Taxes for the payment of the interest on or principal of any bonded debt shall be levied on the property within the agency, or improvement district thereof, benefited by the bonded debt, as determined by the board of directors in the resolution declaring the necessity to incur the debt. Taxes for other purposes of the agency shall be levied on all property in the district or portion thereof subject to the particular tax. It shall be the duty of all county officers charged with the duty of collecting taxes to collect such tax in the time, form, and manner as county taxes are collected, and when collected to pay the same to the agency. Taxes for the payment of a bonded debt and the interest thereon shall be a lien on all the property benefited thereby as stated in the resolution of the board of directors declaring the necessity to incur the debt. All taxes for other purposes of the agency shall be a lien on all the property in the agency subject to the respective tax. Agency taxes, whether for payment of a bonded indebtedness and the interest thereon or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

SEC. 30. Ordinances may be passed by the voters of this water agency organized under the provisions of this act in accordance with the methods provided by the Elections Code for direct legislation in cities.

SEC. 31. Ordinances may be disapproved and thereby vetoed by the voters of this agency by proceeding in accordance with the methods provided by the Elections Code for protesting against legislation in cities.

SEC. 32. Any portion of a county in which a municipal water district is situated, or any city, situated within such county or both, may be added to the Crestline-Lake Arrowhead Water Agency organized under the provisions of this act, and such cities need not be contiguous and such unincorporated territory may consist of one or more parcels which need not be contiguous one with the other or with any such cities and such annexing area or areas need not be contiguous with the agency. Such annexation shall occur in the following manner.

A petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by voters residing within the boundaries of the area proposed to be annexed equal in number to at least 10 per centum of the number of such voters voting for all candidates for the office of Governor of this State at the last general election prior to the filing of such petition; provided, that where one or more cities are included in such proposed annexation, such petition must be signed by at least 10 per centum of the voters of each such city so voting at such election. Such petition shall set forth and describe the boundaries of the area proposed to be annexed and shall contain a prayer that such area be annexed to the Crestline-Lake Arrowhead Water Agency.

The text of such petition shall be published once a week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time at which the same is to be presented to the board of directors of the agency in at least one, but not to exceed three, newspapers printed and published in such county, together with a notice stating the time of the meeting at which the same will be presented. When contained upon one or more instruments, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in said publication of said petition and notice, but the number of signers shall be stated.

Within 10 days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the requisite number of voters; and if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of voters or is not so signed, he shall certify that the same is sufficient or insufficient as the case may be.

If, by the certificate of the secretary of the agency, the petition is found to be insufficient, he shall also certify to the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary of the agency shall, within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If his certificate shall show any such petition, or such petition as amended, to be insufficient, it shall be filed by him with the board of directors of the agency and kept as a

public record, without prejudice, however, to the filing of a new petition to the same effect. But if, by the certificate of the secretary, such petition, or petition as amended, is shown to be sufficient, the secretary shall present the same to the board of directors, without delay.

If any supplemental petition be filed, all the signatures appended to the petition or to the supplemental petition or petitions shall be considered in determining the number of voters signing the petition.

After an election for the annexation of such area to the agency the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

Such petition may be granted by ordinance of the board of directors of such agency. In granting such petition, such board of directors may fix in said ordinance the terms and conditions upon which such annexation may occur, and such terms and conditions may provide, among other things, for the levy by the Crestline-Lake Arrowhead Water Agency of special taxes upon taxable property within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied by such Crestline-Lake Arrowhead Water Agency, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors, in fixing such terms and conditions, shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. Such terms and conditions also may provide among other things that a special water rate may be fixed from time to time by the board of directors for the area or areas proposed to be annexed. If such petition is granted, the proposition of such annexation subject to the terms and conditions so fixed, shall be submitted to the vote of the voters in the proposed addition, at an election called by the board of directors and held, as herein provided, within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in a newspaper of general circulation published in the Crestline-Lake Arrowhead Water Agency once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week prior to the date fixed for such election. Such notice shall describe the boundaries of the area or areas so proposed to be annexed and shall designate such territory by some appropriate name, or other words of identification, by which such territory may be referred to and indicated upon the ballot to be used at any election at which the question of such annexation is submitted, as in this act provided. Such notice also shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. The measure so submitted at such election shall be stated on the ballot substantially as follows: "Shall ----- (giving the name or other designation of the territory proposed to be annexed as stated in the notice of

election) be annexed to the Crestline-Lake Arrowhead Water Agency subject to the terms and conditions fixed by the board of directors of said agency?" At the right of such proposition there shall be printed the words "yes" and "no" with voting squares. The board of directors shall canvass the votes cast at such election and if such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board of directors shall certify that fact to the Secretary of State and to the county recorder of the county in which such agency is located. Upon receipt of such last-mentioned certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the addition of said area or areas to said agency. A copy of said certificate shall be transmitted to, and filed with the county clerk of the county in which the Crestline-Lake Arrowhead Water Agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed added to, and shall form a part of, said Crestline-Lake Arrowhead Water Agency, and the taxable property therein shall be subject to taxation thereafter for the purpose of said Crestline-Lake Arrowhead Water Agency, including the payment of bonds and other obligations of such agency at the time authorized or outstanding and the board of directors of such Crestline-Lake Arrowhead Water Agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

Sec. 33. Uninhabited territory within a county or contiguous county to which the Crestline-Lake Arrowhead Water Agency is situated may be added to such agency pursuant to the provisions of this section. For the purposes hereof, territory shall be deemed uninhabited if less than 12 voters reside therein at the time of the filing of the petition for annexation or the initiation of proceedings by resolution of the board. Such uninhabited territory may consist of unincorporated territory only or of incorporated territory lying within the boundaries of one or more cities, or of both such unincorporated and incorporated territory; provided, that incorporated territory lying within the boundaries of any city may be added to such agency in accordance with the provisions of this section only if upon the annexation of such uninhabited territory the entire corporate area of such city will be included in such agency. Such uninhabited territory, whether consisting of unincorporated territory or of incorporated territory or of both such unincorporated and incorporated territory, may consist of one or more parcels, which need not be contiguous one with the other or with the agency.

Proceedings for the annexation of uninhabited territory to any agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of

not less than one-fourth of the land in such territory by area and by assessed value as shown on the last equalized assessment roll of the county in which such territory is situated. A guardian, executor, administrator, or other person holding property in a trust capacity under appointment of court, may sign any petition or protest provided for in this section, when authorized by the proper court, which authorization may be made without notice. The last equalized assessment roll of said county is *prima facie* evidence of the ownership of the land or lands lying within such territory proposed to be annexed. Such petition shall set forth and describe the boundaries of the area proposed to be annexed to the Crestline-Lake Arrowhead Water Agency pursuant to the provisions of this section.

The secretary shall present such petition to the board of directors of the agency at its next meeting, and said board, without delay, shall pass a resolution giving notice of the proposed annexation. Said resolution shall state that such petition has been filed, shall set forth and describe the boundaries of the territory proposed to be annexed, shall contain the terms and conditions of annexation, if any prescribed by the board as hereinafter authorized, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the annexation of such territory, or to the annexation. Said resolution shall state that such petition has as the case may be, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

The board of directors of the agency by resolution may initiate proceedings for the annexation of uninhabited territory to such agency. Such resolution shall declare that proceedings have been initiated by the board of directors under the provisions of this section, shall state the reason for proposing such annexation, shall set forth and describe the boundaries of the territory proposed to be annexed, shall contain the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the annexation of such territory, or the annexation of such territory upon such terms and conditions, as the case may be, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

Said hearing shall be commenced not less than 20 nor more than 40 days after the passage of the resolution of the board of directors. The secretary of the agency shall cause the text of the resolution to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers printed and published in the agency.

After the date of issuance by the Secretary of State of his certificate reciting the passage of the ordinance approving the annexation, and the addition of the uninhabited territory to the agency, the sufficiency of the petition or resolution shall not be subject to judicial review or be otherwise questioned.

At any time prior to the hour set for the hearing of protests, any owner of property within the territory proposed to be annexed may file with the secretary of the agency written protest against the annexation, or against the annexation upon the terms and conditions specified in the resolution, as the case may be. The protest shall state the name of the owner of the property affected, and the description and area of such property in general terms. At the hearing which may be adjourned from time to time, the board of directors shall hear and pass upon all protests so filed. If such protests are so filed by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll of the county, further proceedings shall not be taken. If such protest is not made, the board of directors shall approve or disapprove the annexation by ordinance. Any ordinance approving such annexation shall set forth and describe the boundaries of the territory so annexed and the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized. If the board of directors disapproves the annexation, or the annexation subject to such terms and conditions, as the case may be, a new proceeding to annex any of the same territory shall not be initiated under this section for a period of 12 months from the effective date of the ordinance.

The board of directors may approve the annexation of such territory upon terms and conditions fixed by the board in the manner hereinafter provided. Such terms and conditions may provide, among other things, for the levy by the Crestline-Lake Arrowhead Water Agency of special taxes upon taxable property within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied by the Crestline-Lake Arrowhead Water Agency, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors, in fixing such terms and conditions, shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. Such terms and conditions also may provide, among other things, that a special water rate may be fixed from time to time by the board of directors for the area or areas proposed to be annexed. The board shall propose such terms and conditions either in the resolution adopted subsequent to the filing of a petition for annexation or in the resolution initiating the proceedings, as the case may be, or in a resolution adopted by the board at the hearing. Terms and conditions proposed in a prior resolution may be amended and the amended terms and conditions proposed in a resolution

adopted by the board at the hearing. If such terms and conditions, or amended terms and conditions, are proposed by the board in a resolution adopted at the hearing, the board shall adjourn the hearing for not less than 20 nor more than 40 days, to a time and place to be fixed in such resolution, and said resolution shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the adjourned hearing, written protest to the annexation of such territory upon such terms and conditions. The secretary of the agency shall cause the text of the resolution to be published for the time and in the manner required for publication of the resolution giving notice of the original hearing. If prior to the hour set for the adjourned hearing, written protests, in the form hereinabove prescribed, to the annexation of such territory subject to such terms and conditions, are filed with the secretary of the agency by the owners of one-half of the value of said territory as shown by the last equalized assessment roll of the county, further proceedings shall not be taken. If such protest is not made, the board of directors shall by ordinance approve or disapprove the annexation. If approved, such annexation shall be subject to the terms and conditions or amended terms and conditions, so proposed by resolution of the board, which terms and conditions shall be set forth in the ordinance.

When an ordinance approving annexation of uninhabited territory becomes effective, the president and secretary of the board of directors shall file with the Secretary of State a certified copy of the ordinance. Upon receipt of the certified copy of the ordinance, the Secretary of State shall within 10 days, issue his certificate reciting the passage of said ordinance and the addition of said area or areas to said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerk of the county in which the Crestline-Lake Arrowhead Water Agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed added to, and shall form a part of, said agency, and the taxable property therein shall be subject to taxation thereafter for the purposes of said agency, including the payment of bonds and other obligations of such agency at the time authorized or outstanding, and the Board of Directors of the Crestline-Lake Arrowhead Water Agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

Notwithstanding the eligibility of any territory for annexation to an agency pursuant to the provisions of this section, the procedure herein prescribed shall not be deemed exclusive and such territory may be annexed to such agency as part of a larger parcel, of territory annexed under the provisions of Section 32 of this act.

SEC. 34. Territory included within the Crestline-Lake Arrowhead Water Agency may be excluded from such agency; provided, that where any part of the corporate area of any city is included in the territory proposed to be excluded from the agency, the whole of the corporate area of such city then included within such agency shall be included in the territory so proposed to be excluded from such agency. Such territory may consist of one or more parcels, which need not be contiguous one with the other.

Proceedings for the exclusion of territory from the agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by voters residing within the boundaries of the area proposed to be excluded equal in number to at least ten (10) per centum of the number of such voters voting for all candidates for the office of Governor of this State at the last general election at which a Governor was elected prior to the filing of such petition; provided, that where one or more cities, or parts thereof, are included in the area so proposed to be excluded, such petition must be signed by at least ten (10) per centum of the voters of each such city, or part thereof, so voting at such election. Such petition shall set forth and describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion and shall contain a prayer that such area be excluded from the agency.

Within ten (10) days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the requisite number of voters; and if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of voters, or is not so signed, he shall certify that the same is sufficient or insufficient as the case may be.

If, by the certificate of the secretary of the agency, the petition is found to be insufficient, he shall also certify to the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate. The secretary of the agency shall, within ten (10) days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If any supplemental petition be filed, all the signatures appended to the petition or to the supplemental petition or peti-

tions shall be considered in determining the number of voters signing the petition.

If his certificate shall show any such petition, or such petition as amended to be insufficient, it shall be filed by him with the board of directors of the agency and kept as a public record, without prejudice, however, to the filing of a new petition to the same effect. But if, by the certificate of the secretary, such petition, or petition as amended is shown to be sufficient, the secretary shall present the same to the board of directors without delay.

The text of such petition shall be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks, before the time at which the same is to be presented to the board of directors of the agency in at least one, but not to exceed three, newspapers printed and published in such agency, together with a notice stating the time of the meeting at which the same will be presented. When contained upon more than one instrument, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in such publication of said petition and notice, but the number of signers shall be stated.

After an election for the exclusion of such area from the agency the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

The board of directors of the agency, by resolution, may initiate proceedings for the exclusion of territory from such agency. Such resolution shall describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion, shall require all persons interested in the proposed exclusion to appear before the board and be heard as to why said area should not be so excluded, shall fix the time of the meeting of the board at which persons so interested will be heard, and shall direct the secretary of the agency to give notice thereof. The secretary whereupon shall cause the text of said resolution and a notice of the time and place of said hearing to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks, before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers printed and published in the agency.

After an election for the exclusion of such area from the agency the sufficiency of such resolution shall not be subject to judicial review or be otherwise questioned.

If the proceedings for exclusion have been initiated by petition, such petition may be granted by ordinance of the board of directors of such agency. If such proceedings have been initiated by resolution, the board of directors shall hear all persons interested in the proposed exclusion who appear at the hearing, which may be adjourned from time to time, and after the conclusion of the hearing, the board may determine by ordinance that such area should be excluded from the agency.

If such petition is granted or if such determination is made, the proposition of such exclusion shall be submitted to the vote of the voters within the area proposed to be excluded, at an election called by the board of directors and held, as herein provided, within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in a newspaper of general circulation published in the agency once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week, prior to the date fixed for such election. Such notice shall describe the boundaries of the area so proposed to be excluded and shall designate such area by some appropriate name, or other words of identification, by which such area may be referred to and indicated upon the ballot to be used at any election at which the question of such exclusion is submitted, as in this act provided. The measure so submitted at such election shall be stated on the ballot substantially as follows:

"Shall ----- (giving the name or other designation of the area proposed to be excluded, as stated in the notice of the election) be excluded from the Crestline-Lake Arrowhead Water Agency?"

At the right of such proposition there shall be printed the words "Yes" and "No" with voting squares. The board of directors shall canvass the votes cast at such election and if such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board of directors shall certify that fact to the Secretary of State. Upon receipt of such last-mentioned certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the exclusion of said area from said agency. A copy of said certificate shall be transmitted to, and filed with the county clerk of the county or counties in which the Crestline-Lake Arrowhead Water Agency is situated. From and after the date of such certificate, the area named therein shall be deemed excluded from and shall no longer form a part of, said Crestline-Lake Arrowhead Water Agency, but the taxable property within such excluded area shall continue taxable by the Crestline-Lake Arrowhead Water Agency for the purpose of paying the bonded or other indebtedness of the Crestline-Lake Arrowhead Water Agency outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied, to the same extent that such property would be taxable for such purpose if such exclusion had not occurred.

SEC. 35. Uninhabited territory included within the Crestline-Lake Arrowhead Water Agency may be excluded from such agency pursuant to the provisions of this section. For the purposes hereof, territory shall be deemed uninhabited if less than 12 voters reside therein at the time of the filing of the petition for exclusion or the initiation of proceedings by resolution of the board. Incorporated territory lying within the boundaries of any city may be excluded from such agency

in accordance with the provisions of this section only if upon the exclusion of such uninhabited territory no part of the corporate area of such city will be included in such agency. Such uninhabited territory may consist of one or more parcels, which need not be contiguous one with the other.

Proceedings for the exclusion of uninhabited territory from any agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of not less than one-fourth of the land in such territory by area and by assessed value as shown on the last equalized assessment roll of the county or counties in which such territory is situated. A guardian, executor, administrator, or any person holding property in a trust capacity under appointment of court, may sign any petition or protest provided for in this section, when authorized by the proper court, which authorization may be made without notice. The last equalized assessment roll of said county is prima facie evidence of the ownership of the land or lands lying within such territory proposed to be excluded. Such petition shall set forth and describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion, and shall contain a prayer that such area be excluded from the Crestline-Lake Arrowhead Water Agency pursuant to the provisions of this section.

The secretary shall present such petition to the board of directors of the agency at its next meeting, and said board, without delay, shall pass a resolution giving notice of the proposed exclusion. Said resolution shall state that said petition has been filed, shall set forth and describe the boundaries of the territory proposed to be excluded, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the exclusion of such territory, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

The board of directors of the agency by resolution may initiate proceedings for the exclusion of uninhabited territory from such agency. Such resolution shall declare that proceedings have been initiated by the board of directors under the provisions of this section, shall state the reason for proposing such exclusion, shall set forth and describe the boundaries of the territory proposed to be excluded, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the exclusion of such territory, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

Said hearings shall be commenced not less than 20 or more than 40 days after the passage of the resolution of the board of directors. The secretary of the agency shall cause the text of the resolution to be published once each week for at least

two weeks, the last publication to be made not less than one week nor more than four weeks before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers published in the agency.

After the date of issuance by the Secretary of State of his certificate reciting the passage of the ordinance approving the exclusion and the exclusion of uninhabited territory from the agency, the sufficiency of the petition or resolution shall not be subject to judicial review or be otherwise questioned.

At any time prior to the hour set for the hearing of protests, any owner of property within the territory proposed to be excluded may file with the secretary of the agency written protest against the exclusion. The protest shall state the name of the owner of the property affected, and the description and area of such property in general terms. At the hearing, which may be adjourned from time to time, the board of directors shall hear and pass upon all protests so filed. If such protests are so filed by the owners of one-half of the value of the territory proposed to be excluded as shown by the last equalized assessment roll of the county or counties, further proceedings shall not be taken. If such protest is not made, the board of directors shall approve or disapprove the exclusion by ordinance. Any ordinance approving such exclusion shall set forth and describe the boundaries of the territory so excluded. If the board of directors disapproves the exclusion, a new proceeding to exclude any of the same territory shall not be initiated under this section for a period of 12 months from the effective date of the ordinance.

When an ordinance approving exclusion of uninhabited territory becomes effective, the president and secretary of the board of directors shall file with the Secretary of State a certified copy of the ordinance. Upon receipt of the certified copy of the ordinance, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the exclusion of said area or areas from said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerks of the counties in which the Crestline-Lake Arrowhead Water Agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed excluded from and shall no longer form a part of, said Crestline-Lake Arrowhead Water Agency, but the taxable property within such excluded area or areas shall continue taxable by such Crestline-Lake Arrowhead Water Agency for the purpose of paying the bonded or other indebtedness of the Crestline-Lake Arrowhead Water Agency outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied, to the same extent that such property would be taxable for such purpose if such exclusion had not occurred.

Notwithstanding the eligibility of any territory for exclusion from the Crestline-Lake Arrowhead Water Agency pursuant

to the provisions of this section, the procedure herein prescribed shall not be deemed exclusive and such territory may be excluded from such agency as a separate parcel, or as part of a larger parcel, of territory excluded under the provisions of Section 34 of this act.

SEC. 36. The Crestline-Lake Arrowhead Water Agency organized under the terms of this act may be disorganized or disincorporated in the following manner:

A petition shall be filed with the county clerk of the principal county in which such agency is located, signed by at least 25 percent of the voters of the agency praying for the disorganization and disincorporation of such agency and briefly stating the reasons therefor. Upon the filing of such petition the county clerk shall examine the same within 10 days and ascertain whether or not said petition is signed by the requisite number of voters. When the said county clerk has completed his examination of the petition he shall attach to the same his certificate properly dated, showing the result of such examination, and if from such examination he shall find that said petition is signed by the requisite number of voters residing within the boundaries of the Crestline-Lake Arrowhead Water Agency, or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be. If the same is found insufficient by him, supplemental petitions may be filed at the times and in the manner and for the same purposes as supplemental petitions to the original petition for the incorporation of the agency. After an election for the disincorporation of the agency hereunder the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

If by the certificate of the county clerk such petition, or such petition as amended or supplemented, is shown to be sufficient, the county clerk shall present the same to the board of supervisors without delay. When such petition is presented by the county clerk as aforesaid, the board of supervisors shall give notice of an election to be held in said agency for the purpose of determining whether or not the same shall be disincorporated and dissolved; provided, however, that in the event the said agency shall have issued bonds, the board of supervisors shall not consider said petition or take any action hereunder until evidence shall be furnished showing said bonds to have been fully satisfied. Said notice of election shall be published in a newspaper published in said agency and determined by said board most likely to give notice to those interested in said hearing, at least once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week prior to the date fixed for the election; said notice shall state that the question of disincorporating said corporation shall be submitted to the voters of said agency at the time appointed for such election, and voters shall be invited thereby to vote upon such proposition by placing upon their ballots the cross as provided by law

after the words "For Disincorporation" or "Against Disincorporation." The board of supervisors shall cause a copy of said notice to be mailed by the clerk of said board to each of the directors of said Crestline-Lake Arrowhead Water Agency, within five days after the date of the first publication thereof, and no election shall be had until proof of such mailing is furnished by affidavit of the clerk of said board. Such election shall be held and conducted in the same manner as the election on the organization of said agency, as nearly as practicable. Within seven days after the date of said election, the board of supervisors shall proceed to canvass the vote cast thereat; if it be found by the canvass of said votes that less than a majority of the votes cast were in favor of disincorporation, said board of supervisors shall declare the petition for disincorporation denied. In case it shall appear from said canvass that a majority of all the votes cast were in favor of disincorporation, said board of supervisors shall make and cause to be entered upon the records of their proceedings an order that the petition for such disincorporation be granted, and declaring that the Crestline-Lake Arrowhead Water Agency be disincorporated; said order to take effect at the time hereinafter provided. Said board of supervisors shall in case said Crestline-Lake Arrowhead Water Agency is so disincorporated, forthwith cause its clerk, or other officer performing the duties of clerk, to make and transmit to the Secretary of State a certified copy of the notice of election hereinbefore provided for, and a statement of the number of voters voting for said disincorporation and the number of voters voting against said disincorporation. Twenty days from and after the holding of the election, in case a majority of said votes were cast in favor of said disincorporation, said Crestline-Lake Arrowhead Water Agency shall be forever disincorporated.

SEC. 37. Upon the disincorporation of the agency in the manner hereinbefore provided for, the board of supervisors of the principal county shall forthwith, after ascertaining by said canvass that the disincorporation has been carried, determine the amount of the indebtedness of said agency, the amount of money in the treasury thereof and all indebtedness due or coming due the said agency, and the directors of said agency shall furnish the said board of supervisors with a statement showing said amount of indebtedness, the said amount of money in the treasury and all indebtedness due or coming due said agency, and said Crestline-Lake Arrowhead Water Agency shall before the expiration of 30 days turn over to the treasury of said county all moneys of said agency in his possession, and said county treasurer shall place said money in a special fund to be drawn upon as hereinafter provided for. Upon the disincorporation of said agency every public officer of said agency shall immediately turn over to the board of supervisors of the principal county in which said agency is situated, all public property of every nature and description

in their possession, and including all public records and data of every nature and description. Nothing contained in this act shall be held to relieve said Crestline-Lake Arrowhead Water Agency, or the territory included within it, from any liability or any debt contracted by said agency prior to its disincorporation. All warrants for said indebtedness shall be drawn on order of said board of supervisors of the county, on the fund hereinabove provided for in the county treasury of the principal county. All moneys paid into the county treasury under the provisions of this act shall be placed in the special fund hereinbefore provided for. If at any time after the disincorporation of said agency it shall be found that there is not sufficient money in the treasury to the credit of the fund hereinbefore provided, with which to pay any indebtedness of said agency, said board of supervisors shall have the power, and it shall be their duty, to levy upon, and there shall be collected from, the property within the territory formerly included within said agency subject to taxation for the indebtedness, a tax or taxes sufficient in amount to pay the said indebtedness as the same shall become due; such tax or taxes, assessments and collections shall be made in the same manner and at the same time that other taxes of the county are levied and collected, and they shall be an additional tax within said territory for the payment of said debts. If after payment of all debts of said agency there shall remain any surplus in the hands of said county treasurer to the credit of the fund hereinbefore mentioned, the board of supervisors shall appropriate said surplus and declare a dividend pro rata to the taxpayers of said agency duly paid, and said taxpayers shall have the right to have the amount of such pro rata dividends refunded to them on demand, and the said board of supervisors shall refund such pro rata to said taxpayers and each thereof. The board of supervisors of the county in which any such agency has been disincorporated, shall have the power and it shall be the duty of said board if the board of directors of such municipal water district shall fail or refuse to return to said board the statement of said amounts as hereinbefore in this act provided, to ascertain the indebtedness, other than the bonded indebtedness, of said agency at the time of its disincorporation, the amount of money in its treasury and the amount due it at the said time; said board of supervisors shall make provision for the collection of the amounts due to said district for the closing up of its affairs, and any act or acts necessary for said purposes not otherwise herein provided for, shall upon the order of said board of supervisors directing the same, be as fully done and performed and with as full effect as if the same had been performed by the proper officers of said agency before disincorporation, and said county shall succeed to and possess all the right of said agency in and to said indebtedness, and shall have the power to sue for or otherwise collect any such debts in the name of said county, and all costs and expenses of ascertaining the facts hereinbefore

mentioned, and all other costs and expenses incurred by the board of supervisors in the execution of the orders and duties of said board of supervisors provided for in this act, shall be paid out of the special fund in this act provided for.

It is the intention that the Crestline-Lake Arrowhead Water Agency shall not be disincorporated until all bonded indebtedness shall have been fully paid, and by the word "indebtedness" as used herein is meant all indebtedness other than said bonded indebtedness unless the latter is expressly used.

SEC. 38. No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the annexation of territory to, or exclusion of territory from, or the disincorporation of, the Crestline-Lake Arrowhead Water Agency. Any action or proceeding, wherein the validity of such annexation or exclusion or disincorporation is denied or questioned, shall be commenced within three months from the date of the certificate of annexation or of exclusion issued by the Secretary of State, or from the date of the order of the board of supervisors declaring the disincorporation, as the case may be; otherwise, said annexation or exclusion or disincorporation, and all proceedings in respect thereto, shall be held to be valid and in every respect legal and incontestable.

SEC. 39. Nothing in this act shall be so construed as repealing or in anywise modifying the provisions of any other act relating to water or the supply of water to, or the acquisition thereof, by cities within this State. The term "city," as used in this act, shall mean and include any city, whether organized or functioning under a freeholders' charter or under the provisions of general laws. The word "agency" shall apply, unless otherwise expressed or used, to the Crestline-Lake Arrowhead Water Agency formed under the provisions of this act, and the word "board" and the words "board of directors" shall apply to the board of directors of such agency. The meaning of the term "voter," as used in this act, shall be ascertained by reference to Section 21 of the Elections Code.

SEC. 40. If there shall be a registrar of voters, other than the county clerk, in the principal county in which the Crestline-Lake Arrowhead Water Agency is hereby incorporated, or incorporated, under the provisions of this act, is situated, the duties required by this act to be performed by the county clerk respecting the nomination of candidates for offices of such water agency and the holding of elections in such agency, shall be performed by such registrar of voters.

SEC. 41. The agency formed hereunder may contain lands situate in more than one county and this agency may annex lands situate in another county or counties. In either such case the lands need not be contiguous. The procedure relating to formation, annexation, disorganization, disincorporation, exclusion, fiscal matters and taxation shall conform as near as may be to such provisions with respect to agencies containing

land located in one county, subject to the following provisions:

(a) The secretary of the board of directors of the Crestline-Lake Arrowhead Water Agency containing land in more than one county shall perform all duties prescribed by law to be performed by county clerks or registrars of voters, as the case may be, in connection with agency elections and such duties of county clerks as are required by this act which relate to annexation, disorganization, disincorporation and exclusion, and, where necessary such secretary is authorized to procure from the proper county officials all requisite registration books and copies of indexes thereof; all papers required by this act to be filed with a county clerk shall be filed with said secretary and the board of directors shall perform all duties prescribed by law to be performed by boards of supervisors in connection with agency elections and such duties as are required by this act which relate to annexation, disorganization, disincorporation and exclusion of territory.

(b) Immediately after equalization and not later than the fifteenth day of August of each year, it shall be the duty of the auditor of each county wherein such agency or any part thereof shall lie, to prepare and deliver to the secretary of the agency or such other officer thereof as may be designated by the board of directors therefor a certificate showing the assessed valuation of all property within the agency lying within the county. Thereafter, the board of directors shall make the certification and statement, and issue the directions, as required by Section 29 of this act. After collection of taxes by the proper county officers at the rate specified, such officers shall pay the moneys received therefrom to the agency.

Whenever an improvement district within the Crestline-Lake Arrowhead Water Agency is itself located in two or more counties, the method and procedure for the apportionment of agency taxes between counties shall apply to such improvement district.

(c) Whenever provision is made in this act for notice within a county, it shall be construed to require notice within each county in which agency lands are located.

(d) "Principal county" as used in this act means the county in which the greater portion of land of the Crestline-Lake Arrowhead Water Agency is located.

SEC. 42. Whenever a sufficient change in the population occurs in the agency after its organization which makes it desirable in the opinion of the board of directors of the agency to relocate the boundary or boundaries of any division or divisions, or whenever any territory is added to or excluded from the agency, the board of directors shall, by resolution, relocate the boundary lines of the division or divisions so as to equalize, as nearly as may be practicable, the population in the respective divisions. For this purpose, the board of directors may estimate the population by reference to the register of voters used at the last general election, and may relocate the boundary line of the respective divisions without regard

to the places of residence of the directors then in office. No such change in the division lines shall be made within the four months immediately preceding the election of any director nor shall such change in division lines work a forfeiture of office of any director. Whenever such change is made in the division lines, each director then in office, and until his office becomes vacant by expiration of his term or otherwise, shall continue to be the director for the respective division bearing the number of his division as formerly located even though such director is not a resident of the relocated division. His successor shall be a resident and voter of the relocated division.

SEC. 43. The inclusion in, or annexation or addition to, the Crestline-Lake Arrowhead Water Agency, of the corporate area of any public corporation or public agency, shall not destroy the identity or legal existence or impair the powers of any such public corporation or public agency, notwithstanding the identity of purpose, or substantial identity of purpose, of the Crestline-Lake Arrowhead Water Agency. No public corporation or public agency having identity of purpose or substantial identity of purpose shall be formed partly or entirely within the Crestline-Lake Arrowhead Water Agency existing under this act without the consent of the Crestline-Lake Arrowhead Water Agency.

SEC. 44. If, in the opinion of the board of directors of the Crestline-Lake Arrowhead Water Agency, the corporate area of which, as a unit, shall have been included in, or annexed to, a metropolitan water district, the revenues of the Crestline-Lake Arrowhead Water Agency will be inadequate for any cause to pay the operating expenses of the Crestline-Lake Arrowhead Water Agency, to provide for repairs and depreciation of works owned or operated by it, and to meet all obligations of the Crestline-Lake Arrowhead Water Agency, then such board of directors, in the manner provided for the levy and collection of taxes for the Crestline-Lake Arrowhead Water Agency, shall provide for the levy and collection of a tax sufficient to raise the amount of money determined by such board of directors to be necessary for the purpose of paying the operating expenses of the Crestline-Lake Arrowhead Water Agency, providing for repairs and depreciation of works owned or operated by it, and meeting all obligations of the Crestline-Lake Arrowhead Water Agency.

SEC. 45. All acts and parts of acts in conflict herewith are hereby repealed. If any section, subsection, sentence, clause or phrase of this act or the application thereof to any person or circumstance is for any reason held invalid the validity of the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

SEC. 46. The Legislature hereby finds that in the County of San Bernardino there are urgent problems of water conservation, development of water resources, and securing adequate water supplies which are unique to San Bernardino County, and that the county water districts, municipalities, and irrigation districts which now exist within portions of the county, have acquired property and works, developed a limited water supply, and have incurred indebtedness, but have been and are unable alone economically to plan and develop an adequate water supply, or adequately and feasibly to conserve the water supply of the agency; that to accomplish these ends it is necessary to have a political entity encompassing areas within the mountain area and that there is a great scarcity of water within the county for municipal, irrigation, and other uses and there is an urgent need that an adequate supply of water be obtained. Investigation has shown conditions in the county to be peculiar to it and it is hereby declared that general law cannot be applicable to the county and that the enactment of this special law is necessary for the planning conservation, development, distribution, control and use of said water for the public good and for the protection of life and property therein.

CHAPTER 41

An act to add Sections 12719, 12720, and 12721 to the Water Code, relating to the Tahchevah Creek Flood Control Project.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 12719 is added to the Water Code, to read:

12719. The project for flood protection on Tahchevah Creek, Whitewater River Basin, at and in the vicinity of Palm Springs in Riverside County, is adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 171, 86th Congress, as authorized by Act of Congress approved July 14, 1960 (Public Law 86-645, 74 Stat. 480, Title II, the "Flood Control Act of 1960"), at an estimated cost to the State of such sum as may be appropriated for state co-operation by the Legislature upon the recommendation and advice of the department, when funds for carrying out the project are appropriated by Congress.

SEC. 2. Section 12720 is added to said code, to read:

12720. The Riverside County Flood Control and Water Conservation District shall give assurances satisfactory to the Secretary of the Army that the local co-operation required by

the Act of Congress approved July 14, 1960 (Public Law 86-645, 74 Stat. 480, Title II, the "Flood Control Act of 1960"), will be furnished by the district in connection with the project for flood control adopted and authorized in Section 12719.

SEC. 3. Section 12721 is added to said code, to read:

12721. The Riverside County Flood Control and Water Conservation District, in conjunction with the Department of the Army, shall execute the plans and projects referred to in Section 12719 and exercise all powers granted to it in the Riverside County Flood Control and Water Conservation District Act (Chapter 1122, Statutes of 1945), and the district may make such modifications or amendments to the plans as may be necessary to execute them for the purposes of Chapters 1 (commencing with Section 12570) and 2 (commencing with Section 12639) of this part.

CHAPTER 42

An act to amend Sections 19593 and 21701.5 of the Education Code, relating to bonds of school districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 19593 of the Education Code is amended to read:

19593. The election by a school district upon the acceptance, expenditure, and repayment of an apportionment prescribed by Section 19590 may be called and held either before or after the making of an apportionment except that no such election shall be held within 45 days of a statewide election unless conducted at the same time as such statewide elections and consolidated therewith, pursuant to the provisions of Chapter 4 (commencing with Section 23300) of Part 2, Division 12 of the Elections Code. If the boundaries of the precincts of the district do not fully coincide with the boundaries of the precincts established for the statewide election, the elections shall be either completely or partially consolidated.

SEC. 2. Section 21701.5 of said code is amended to read:

21701.5. Notwithstanding any provision of law to the contrary, no election shall be held pursuant to this chapter (commencing with Section 21701) within 45 days of a statewide election unless conducted at the same time as such statewide election and consolidated therewith, pursuant to the provisions of Chapter 4 (commencing with Section 23300) of Part 2, Division 12 of the Elections Code. If the boundaries of the precincts of the district do not fully coincide with the boundaries of the precincts established for the statewide election, the

elections shall be either completely or partially consolidated.

Sec. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are :

Several school districts in the State are faced with the immediate necessity for issuing bonds for school capital outlay purposes. Since it is necessary that the school bond elections be consolidated or otherwise conducted at the same time as the June, 1962, primary election, this bill must take immediate effect.

CHAPTER 43

An act to amend Section 4017 of the Penal Code, relating to work by prisoners.

[Approved by Governor April 19, 1962. Filed with
Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 4017 of the Penal Code is amended to read:

4017. All persons confined in the county jail, industrial farm or road camp under a final judgment of imprisonment rendered in a criminal action or proceeding and all persons confined in the county jail, industrial farm or road camp as a condition of probation after suspension of imposition of a sentence or suspension of execution of sentence may be required by an order of the board of supervisors to perform labor on the public works or ways in the county, and to engage in the prevention and suppression of forest, brush and grass fires upon lands within the county or upon lands in adjacent counties where the suppression of fires would afford fire protection to lands within the county.

Whenever any such person so in custody shall suffer injuries or death while working in the prevention or suppression of forest, brush or grass fires he shall be considered to be an employee of the county for purposes of compensation under the provisions of the Labor Code regarding workmen's compensation and such work shall be performed under the direct supervision of a local, state or federal employee whose duties include fire prevention and suppression work. A regularly employed member of an organized fire department shall not be required to directly supervise more than 20 such persons so in custody.

"Labor on Public Works" Defined. The phrase "labor on the public works" as used in this section shall include among other things clerical and menial labor in the county jail, industrial farm or in the camps maintained for the labor of such persons upon the ways in the county.

CHAPTER 44

An act to add Section 4764.2 to the Health and Safety Code, relating to county sanitation districts, providing for borrowing, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 19, 1962. Filed with Secretary of State April 20, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 4764.2 is added to the Health and Safety Code, to read:

4764.2. A county sanitation district formed and existing entirely of lands owned by the United States, which are operated, managed and administered by a county under contract with the Bureau of Reclamation of the Department of the Interior as a public recreation and park area, may without an election incur indebtedness by the issuance of negotiable promissory notes in an amount not to exceed seven hundred fifty thousand dollars (\$750,000) pursuant to this section for any purpose for which the district is authorized to expend funds. The notes shall mature not later than 10 years from their date, shall bear interest at a rate not exceeding 6 percent per annum, payable as provided therein, and shall be general obligations of the district payable, except to the extent paid from other available funds of the district, in the same manner as bonds of the district. The provisions of Chapter 1 (commencing with Section 29000) of Division 3 of Title 3 of the Government Code shall not be applicable to the incurring of indebtedness under this section, nor to any payments made to a district by a county hereunder.

The district shall publish an advertisement for bids on the promissory notes in a newspaper of general circulation within the district or, if no newspaper of general circulation is printed within the district, in a newspaper of general circulation within the county in which the district is located once at least one week prior to the date of sale.

If a county within which a district is located is operating, managing and administering a public recreation and park area comprising the entire county sanitation district and the district is furnishing sanitation and sewer services for the recreation and park area, the county may make a contract with the district whereby, in consideration of the services so rendered, the county agrees to pay to the district for such period as is specified in the contract such amounts as may be specified in the contract and payable from the revenues, income or other funds derived from the operation of the recreation and park area and from such other sources or funds as may be specified in the contract, exclusive, however, of any taxes or funds of the county derived from taxes. In such contract the county

may make covenants or agreements for the purpose of securing the performance thereof, including covenants and agreements relating to the fixing and maintenance of rates and charges for the use of the recreation and park area and the facilities thereof.

The district may use the moneys received under such contract for the construction of sanitation facilities or for any other district purpose authorized by law, or it may pledge all or any part of such moneys to be received to the repayment, both principal and interest, of any indebtedness incurred pursuant to this section. The district may also pledge to the repayment, both principal and interest, of any such indebtedness all or any part of moneys received from sewer service charges imposed by the district and may make covenants and agreements for the purpose of securing such repayment, including covenants and agreements relating to the fixing and maintenance of sewer service charges.

This section shall remain in effect until December 1, 1963, but the termination of the effectiveness of this section shall not affect the validity of any loan, indebtedness, or obligation incurred, or any agreement entered into, pursuant to this section, prior to December 1, 1963.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Cachuma Sanitation District is formed upon the Cachuma Recreation Area, which is located within the watershed of the Cachuma Dam and Reservoir constructed and operated by the Bureau of Reclamation of the United States government to provide domestic water for the southern portion of Santa Barbara County. The ever-increasing use of the park as a recreation area, because of the great demand and pressure for recreation facilities in the heavily populated metropolitan areas of Southern California, has created a health hazard for the County of Santa Barbara in that the recreational use is in the watershed of, and immediately adjoining, the Cachuma Dam and Reservoir, and there are no adequate sanitation facilities to protect the waters of the Cachuma Reservoir from pollution, and the state and county health departments require that adequate sanitation facilities be constructed and installed to prevent pollution of the domestic water supply. The district is located upon federally owned, tax-exempt land and has a small tax base of possessory interest, and the district has few residents, so that an election would be meaningless. The district presently has no funds and it is essential that financing be provided immediately so that a sewer treatment plant and a system of trunklines can be installed as soon as possible to

avert the existing threat to the public health and safety by pollution of the domestic water supply of the southern portion of Santa Barbara County. In order that the district may undertake the immediate financing of the urgently needed sanitation facilities, it is necessary that this act go into immediate effect.

CHAPTER 45

An act to add Section 2100.5 to the Business and Professions Code, relating to the Board of Medical Examiners of the State of California.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2100.5 is added to the Business and Professions Code, to read:

2100.5. In addition to the 11 members of the board provided for in Section 2100, there shall be, during the period commencing on January 15, 1963, and expiring on January 15, 1971, an additional member appointed by the Governor who shall be a person who holds a degree of Doctor of Medicine and who has elected to practice using the term or suffix "M.D." as provided in Section 2396.

The first member of the board provided for in this section shall be appointed for a term of four years, commencing on January 15, 1963, and shall hold office until the appointment and qualification of his successor or until six months shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs. The term of the successor to the first member shall commence on January 15, 1967, and shall expire on January 15, 1971. Vacancies occurring shall be filled by appointment for the unexpired term.

CHAPTER 46

An act to amend Section 2310 of, and to repeal Section 2492 of, the Business and Professions Code, relating to physicians and surgeons.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2310 of the Business and Professions Code is amended to read:

2310. The board shall issue a reciprocity certificate to an applicant to practice a system or mode of treating the sick or

afflicted in this State that he is authorized to practice in any other state if it is a system or mode that is recognized by this chapter or any preceding practice act. Subject to the provisions of Sections 2320 and 2321, no examination for any reciprocity certificate shall be required.

This section, however, shall apply only to persons who have been granted the degree of doctor of medicine after the completion of a full course of study as prescribed by this chapter in an approved medical school. The "board" referred to in this article is the State Board of Medical Examiners.

SEC. 2. Section 2492 of said code is repealed.

SEC. 3. This act shall become operative only if Senate Bill No. 19 of the 1962 First Extraordinary Session, which amends the Osteopathic Act, is approved by the electors and shall become operative at the same time as that bill becomes operative.

CHAPTER 47

An act authorizing a grant to the Monterey County Flood Control and Water Conservation District for recreation in connection with the San Antonio Dam and Reservoir.

[Approved by Governor April 23, 1962 Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The Department of Water Resources is hereby authorized to make a grant to the Monterey County Flood Control and Water Conservation District, pursuant to the Davis-Grunsky Act (Chapter 5 (commencing with Section 12880), Part 6, Division 6, Water Code), of such amount as may be determined by the department upon approval of an application therefor pursuant to said act, but not exceeding the amount of three million eight hundred twenty thousand dollars (\$3,820,000), for recreational functions incidental to the construction of the San Antonio Dam and Reservoir on the San Antonio River in Monterey.

No further legislative approval shall be required with respect to the grant authorized to be made to the district by this act; but such grant shall not be made to the district until the district can actually demonstrate the nature and extent of the statewide interest in the project, the public necessity for the project, the urgency of the need, and the engineering feasibility, economic justification, and the financial feasibility of the project.

CHAPTER 48

An act to amend an initiative act entitled "An act to establish a board of osteopathic examiners, to provide for their appointment, and to prescribe their powers and duties; to regulate the examination of applicants, who are graduates of osteopathic schools, for any form of certificate to treat disease, injuries, deformities or other physical or mental conditions; to regulate the practice of those so licensed, who are graduates of osteopathic schools; to impose upon said board of osteopathic examiners all duties and functions, relating to graduates of osteopathic schools, holding or applying for any form of certificate or license, heretofore exercised and performed by the board of medical examiners of the State of California under the provisions of the state medical practice act, approved June 2, 1913, and acts amendatory thereof" approved by electors November 7, 1922, by adding Sections 2, 3, and 4 thereto and by repealing Sections 2 and 3 thereof, relating to the practice of osteopathy, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors at a special election to be consolidated with the 1962 general election.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2 of the act cited in the title is repealed.

SEC. 2. Section 2 is added to said act, to read:

Sec. 2. The Board of Osteopathic Examiners shall enforce those portions of the Medical Practice Act identified as Article 12 (commencing with Section 2340), Article 13 (commencing with Section 2360), and Article 14 (commencing with Section 2425), of Chapter 5 of Division 2 of the Business and Professions Code, as now existing or hereafter amended, as to persons who hold certificates subject to the jurisdiction of the Board of Osteopathic Examiners; however, persons who elect to practice using the term or suffix "M.D." as provided in Section 2396 of the Business and Professions Code, as now existing or hereafter amended, shall not be subject to the provisions of this section, and the Board of Medical Examiners of the State of California shall enforce the provisions of said articles as to persons who make such election. After making such election, each such person so electing shall apply for renewal of his certificate to the Board of Medical Examiners of the State of California, and the Board of Medical Examiners shall issue such renewal certificates in the same manner as other renewal certificates are issued by it.

SEC. 3. Section 3 of said act is repealed.

SEC. 4. Section 3 is added to said act, to read:

Sec. 3. This act, as amended, may be further amended or modified by the Legislature. In addition to such power to

amend or modify, the Legislature shall have the power to repeal this act, as amended, in its entirety, and transfer any or all of its functions to the Board of Medical Examiners, in the event that the number of persons who are subject to the jurisdiction of the Board of Osteopathic Examiners reaches 40 or less. The Legislature shall, from time to time, appropriate to the Board of Osteopathic Examiners, and in particular for the contingent fund of such board, such sums as may be reasonably necessary for the purpose of carrying out its functions and duties.

SEC. 5. Section 4 is added to said act, to read:

SEC. 4. This act shall be known and cited as the "Osteopathic Act."

SEC. 6. Sections 1, 2, 3, 4, and 5 of this act shall take effect upon the approval of the people of the State. Sections 6, 7, and 8 of this act contain provisions relating to and necessary for its submission to the people and shall take effect immediately.

SEC. 7. A special election is hereby called to be held throughout the State on the sixth day of November, 1962. The special election shall be consolidated with the general election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot and ballot pamphlet shall be used. All of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act, except that the arguments prepared by legislators pursuant to Article 3 (commencing with Section 3555) of Chapter 1 of Division 4 of the Elections Code shall be submitted to the Secretary of State on or before June 1, 1962.

SEC. 8. Sections 1, 2, 3, 4, and 5 of this act shall be submitted to the electors at the special election called by this act.

CHAPTER 49

An act to add Section 2451.3 to the Business and Professions Code, relating to physicians and surgeons.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2451.3 is added to the Business and Professions Code, to read:

2451.3. On or before January 31, 1963, each person who elects to use the term or suffix "M.D." as provided in Section 2396 of this code shall apply to the Board of Medical Examiners for a renewal of his certificate. The fee for such renewal shall be an amount equal to 50 percent of the fee fixed by the board pursuant to subdivision (d) of Section 2458. Thereafter,

such certificates shall expire and become invalid at 12 p.m. on the last day of February of each even-numbered year if not renewed and the fee for such renewal shall be the amount fixed by the board pursuant to subdivision (d) of Section 2458.

A certificate which is not renewed as provided in this section shall expire and shall not be renewed except as provided in Section 2451.2.

SEC. 2. This act shall become operative only if Senate Bill No. 19 of the 1962 First Extraordinary Session, which amends the Osteopathic Act, is approved by the electors and shall become operative at the same time as that bill becomes operative.

CHAPTER 50

An act to amend Section 2396 of the Business and Professions Code, relating to physicians and surgeons.

[Approved by Governor April 23, 1962, Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2396 of the Business and Professions Code is amended to read:

2396. Unless the holder of any certificate provided for in this chapter or any preceding medical practice act has been granted the degree of doctor of medicine after the completion of a full course of study as prescribed by an approved medical school in accordance with the provisions of this chapter, or any preceding medical practice act, the use of the term or suffix "M.D." constitutes unprofessional conduct within the meaning of this chapter.

However, any person holding a physician's and surgeon's certificate under the jurisdiction of the Board of Osteopathic Examiners of the State of California and a degree of Doctor of Medicine issued by a medical school located in the State of California at any time prior to September 30, 1962, and approved either by the Board of Osteopathic Examiners of the State of California or the Board of Medical Examiners of the State of California at the time of the issuance of such degree, shall be authorized to use the term or suffix "M.D.," and such use shall not be unprofessional conduct, so long as such person, on or before December 31, 1962, advises both the Board of Medical Examiners and the Board of Osteopathic Examiners, in writing, that he has elected to use the term or suffix "M.D.," and has elected not to use the term or suffix "D.O.," In the event of such election, the use of the term or suffix "D.O." constitutes unprofessional conduct within the meaning of this chapter.

CHAPTER 51

An act to amend Section 14006 of, and to add Section 11560 to, the Government Code, relating to the State Architect.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 14006 of the Government Code is amended to read:

14006. The Chief of the Division of Architecture is designated as the State Architect. He shall be appointed by the Governor with the approval of the Senate for a term of four years commencing with January 15 next following the general election at which a governor is elected, and he shall hold office until appointment and qualification of his successor or until 150 days shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs; but he may be dismissed by the Governor, with or without cause, at any time. The Governor may fill the office of State Architect by interim appointment prior to the commencement of the first term in 1963 and may fill any vacancy in the office thereafter for the unexpired portion of the term but such appointment shall be subject to approval of the Senate at the next regular session of the Legislature.

No person shall be eligible for the office of State Architect who has not, for a period of five years next preceding his appointment, held a certificate to practice architecture in California issued by the California State Board of Architectural Examiners. No person shall be eligible for the office of State Architect who is not a member of the American Institute of Architects at the time of his first appointment.

The State Architect shall not engage in the private practice of architecture or in a managing capacity in any private business or enterprise.

SEC. 2. Section 11560 is added to said code, to read:

11560. An annual salary of twenty thousand dollars (\$20,000) shall be paid to the State Architect.

CHAPTER 52

An act to add Sections 13572 and 11561 to the Government Code, relating to the State Printer.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 13572 is added to the Government Code, to read:

13572. The chief of the State Printing Office is the State Printer, who shall be appointed by the Governor with the approval of the Senate for a term of four years commencing January 15 next following the general election at which a Governor is elected, and he shall hold office until appointment and qualification of his successor or until 90 days shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs; but he may be dismissed by the Governor, with or without cause, at any time. The Governor may fill any vacancy in the office of State Printer by interim appointment prior to the commencement of the first term in 1963 and may fill any vacancy in the office thereafter for the unexpired portion of the term but such appointment shall be subject to approval of the Senate at the next regular session of the Legislature. Nothing herein contained shall be construed as rendering inapplicable to the State Printer any conflict of interest statutes.

The State Printer shall not engage in a managing capacity in any private business or enterprise.

The State Printer's salary is provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of this code.

SEC. 2. Section 11561 is added to said code, to read:

11561. An annual salary of eighteen thousand dollars (\$18,000) shall be paid to the State Printer.

SEC. 3. This act shall become operative on October 1, 1962.

CHAPTER 53

An act to add Section 3511.1 to the Public Utilities Code, relating to highway carriers.

[Approved by Governor April 23, 1962 Filed with
Secretary of State April 24, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 3511.1 is added to the Public Utilities Code, to read:

3511.1. The term "highway carrier" does not include any person exclusively transporting United States mail pursuant to a contract with the United States government.

SEC. 2. Any fee or penalty which has been paid for the quarterly period including the effective date of this act by any person exclusively transporting United States mail pursuant to a contract with the United States government, which payment is required pursuant to Chapter 6 (commencing with Section 5001) of Division 2 of the Public Utilities Code, shall be considered as paid in error and refunded pursuant to Section 5010 of the Public Utilities Code.

CHAPTER 54

An act to amend Section 11570 of the Government Code, relating to state officers and employees.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 11570 of the Government Code is amended to read:

11570. (a) Notwithstanding the foregoing provisions of this chapter or of any statute specifying the salary to be paid to any state officer, in any fiscal year for which the Legislature appropriates additional funds to augment the salaries paid to state officers whose salaries are specified by statute, each such statutory salary for such fiscal year shall be the amount so specified plus an amount which constitutes an equal percentage increase for each such officer. If any constitutional provision prevents an increase in the salary of a state officer during all or part of the fiscal year for which such funds are appropriated, the increase for any such officer shall become operative with the commencement of the next succeeding term of office if it occurs during such fiscal year.

(b) Notwithstanding the provision of subdivision (a) of this section and notwithstanding the foregoing provisions of this chapter or of any statute specifying the salary to be paid to any state officer, if for the 1962-1963 fiscal year the Legislature appropriates additional funds to augment the salaries paid to state officers whose salaries are specified by statute, the statutory salary for each such officer for whom such additional funds have been made available for such fiscal year shall be the amount so specified plus an amount which constitutes an equal percentage increase for each such officer. If any constitutional provision prevents an increase in the salary of a state officer during part of the fiscal year for which such funds are appropriated, the increase for any such officer shall become operative with the commencement of the next succeeding term of office if it occurs during such fiscal year.

CHAPTER 55

An act to amend Section 1 of Chapter 347 of the Statutes of 1913, relating to a conveyance of tide and submerged lands to the City of Berkeley.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of Chapter 347 of the Statutes of 1913 is amended to read:

Section 1. There is hereby granted to the City of Berkeley a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty in and to all salt marsh, tide and submerged lands, whether filled or unfilled, which are included within the present boundaries of the City of Berkeley, to be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors for purposes in which there is a general statewide interest as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of commerce and navigation.

(2) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair and maintenance of commercial and industrial buildings, plants and facilities, as may be specified by the city council, after public hearing.

(3) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(4) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this Section 1.

(5) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(6) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snack bars, cafes, restaurants, motels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(b) Said city, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation. Nothing contained in this paragraph (b) shall be deemed to affect the validity or term of any franchise granted by said city under the Franchise Act of 1937 or said city's charter, and any such franchise shall be effective with respect to said lands.

(c) Said lands shall be improved without expense to the State; provided, however, that nothing contained in this act shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the State, or any board, agency or commission thereof, when authorized or approved by the city, nor by the city of any funds received for such purpose from the State or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination

in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft, aircraft, or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of Alameda County.

(j) If the lands, or any part thereof, granted to the city by this act are not used for the additional purposes authorized by the amendments of this section made at the 1961 Regular Session and 1962 First Extraordinary Session of the Legislature within 10 years from the effective date of the respective amendments, or if such use is discontinued thereafter, the authorization to use said lands for such additional purposes shall automatically terminate and lapse.

CHAPTER 56

An act to amend Section 2 of the University of California Dormitory Revenue Bond Act of 1947 (Chapter 1027 of the Statutes of 1947), relating to the definition of project.

[Approved by Governor April 23, 1962 Filed with
Secretary of State April 24, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 2 of the University of California Dormitory Revenue Bond Act of 1947 (Chapter 1027 of the Statutes of 1947) is amended to read:

Sec. 2. Definitions: The following terms wherever used or referred to in this act, or in any indenture entered into pursuant hereto, shall have the following meanings, respectively, unless a different meaning appears from the context:

(a) Regents. The term "regents" means the existing corporation known as "the Regents of the University of California," as the same is constituted by the provisions of Article IX, Section 9, of the Constitution of the State of California.

(b) University of California. The term "University of California" means the public trust created by Article IX, Section 9, of the Constitution of the State of California, and each and all of the campuses of said university within the State of California.

(c) Project. The term "project" means any one or more dormitories, other housing facilities, boarding facilities, student union facilities, vehicle parking facilities or any other auxiliary or supplementary facilities for individual or group accommodation, owned or operated or authorized to be acquired, constructed, furnished, equipped and operated by the regents for use by students, faculty members or employees of the University of California, or a combination of such facilities, which may include facilities already completed and facilities authorized for future completion, designated by the regents as a project in providing for the issuance of revenue bonds. The term "project" also includes any one or more hospitals, clinics, medical and nursing facilities, and related facilities, including professional office buildings, parking facilities and other facilities which the regents may deem necessary or convenient for the operation of a hospital or medical center, or incidental thereto, designated by the regents as a project in providing for the issuance of revenue bonds.

(d) Bonds. The term "bonds" or "revenue bonds" means the written evidence of any obligation issued by the regents, payment of which is secured by a pledge of revenues or any part of revenues, as provided in this act, in order to obtain funds with which to carry out the purposes of this act, irrespective of the form of such obligation.

(e) Revenues. The term "revenues" means and includes any and all fees, rates, rentals and other charges received or receivable in connection with, and any and all other incomes and receipts of whatever kind and character derived by, the regents from the operation of a project or arising from a project, including any such revenue as may have been or may be impounded or deposited in any sinking fund, redemption or reserve fund or other fund created for the security of revenue bonds or for the purpose of providing for the payment thereof or the interest thereon.

(f) Holder of Bonds. The "holder of bonds" or "bondholder" or any similar terms shall mean any person who shall be the bearer of any outstanding revenue bond or bond registered to bearer or not registered or the registered owner of any such outstanding revenue bond or bond which shall at the time be registered other than to bearer.

(g) Indenture. The term "indenture" means an agreement entered into by the regents pursuant to which revenue bonds are issued, regardless of whether such agreement is expressed in the form of a resolution of the regents or by other instrument.

(h) Person. The term "person" includes any individual, firm, corporation, association, copartnership, trust, business trust or receiver or trustee or conservator for any thereof, but does not include this State or any public corporation, political subdivision, city, county, district or any agency thereof or of this State.

(i) Number, Gender, Verbs.

(1) The present tense includes the past and future tenses; and the future, the present.

(2) The masculine gender includes the feminine and neuter.

(3) The singular number includes the plural, and the plural the singular.

(4) "Shall" is mandatory and "may" is permissive.

CHAPTER 57

An act to amend Section 33217 of the Water Code, relating to the Costa Mesa County Water District, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 27, 1962 Filed with
Secretary of State May 1, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 33217 of the Water Code is amended to read:

33217. The new district is a public agency of the State and shall in all respects be operated, managed and governed as provided by law for county water districts generally.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to allow the Costa Mesa County Water District to issue bonds, the proceeds from which are urgently needed to secure adequate water supplies, it is necessary that this act take effect immediately.

CHAPTER 58

An act to add Section 337s to the Penal Code, relating to poker.

[Approved by Governor April 27, 1962. Filed with
Secretary of State May 1, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 337s is added to the Penal Code, to read:

337s. (a) This section applies only in counties with a population exceeding 4,000,000.

(b) Every person who deals, plays, or carries on, opens, or causes to be opened, or who conducts, either as owner or employee, whether for hire or not, any game of draw poker, including lowball poker, is guilty of a misdemeanor.

(c) Subdivision (b) shall become operative in a county only if the board of supervisors thereof by resolution directs that there be placed on the ballot at a designated county election the question whether draw poker, including lowball poker, shall be prohibited in the county and a majority of electors voting thereon vote affirmatively. Such question shall appear on the ballot in substantially the following form:

“Shall draw poker, including lowball poker, be prohibited
in _____ County? Yes _____ No _____”

If a majority of electors voting thereon vote affirmatively, draw poker shall be prohibited in both incorporated and unincorporated territory in the county.

(d) Any county or city ordinances in any county prohibiting, restricting, or regulating the playing of draw poker and other acts relating to draw poker shall not be superseded until, pursuant to subdivision (c), the electorate of the county determines that subdivision (b) shall be operative in the county.

(e) The Legislature finds that in counties with a large, concentrated population, problems incident to the playing of draw poker are, in part, qualitatively, as well as quantitatively, different from the problems in smaller counties.

The Legislature finds that counties with a population exceeding 4,000,000 constitute a special problem, and it is reason-

able classification to adopt prohibitory legislation applicable only to such counties.

(f) If any provision of this section is held invalid, the entire section shall be invalid. The provisions of this section are not severable.

CHAPTER 59

An act to amend Sections 18900, 18901, 18903, 18904, 18906, 18906.3, and 18906.4 of, and to add Sections 18905.1 and 18905.2 to, the Health and Safety Code, relating to the State Building Standards Commission.

[Approved by Governor April 27, 1962 Filed with
Secretary of State May 1, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 18900 of the Health and Safety Code is amended to read:

18900. There is in the Department of Finance a State Building Standards Commission consisting of the Director of Finance and 10 members appointed by the Governor subject to confirmation by the Senate. Three members shall be appointed by and serve at the pleasure of the Governor from among the professions and industries concerned with building construction, of whom one shall be an architect, one a structural engineer and one a contractor; three members shall be appointed by and serve at the pleasure of the Governor from among the general public; one member shall be appointed by and serve at the pleasure of the Governor from organized labor in the building trades; and three members shall be appointed by and serve at the pleasure of the Governor from among local government officials. The Director of Finance shall serve as the chairman of the commission. The Director of Finance may, as provided in Section 7.5 of the Government Code, designate a Deputy Director of the Department of Finance to act in his place as chairman. The commission shall elect a vice chairman annually from among its members.

The Governor may appoint advisory members from the state agencies which administer and enforce building regulations.

The Director of Finance shall provide the necessary staff services to the commission and may appoint, in accordance with civil service and other provisions of law, such officers and employees as may be necessary to carry out the intent and purposes of this part.

SEC. 2. Section 18901 of said code is amended to read:

18901. The commission shall publish a single code of all administrative building regulations of state agencies relating to building standards which are enforced or supervised by

state agencies, which code may include administrative regulations or applicable building codes or portions thereof by means of reference.

The commission shall publish an index and reference guide to the administrative regulations and statutes relating to building standards that have been approved by the commission. The publication of such index and reference guide shall relate only to such regulations as have been otherwise approved and such publication shall not constitute the approval of nor nullify or supersede any existing regulation legally adopted by any state agency.

SEC. 3. Section 18903 of said code is amended to read:

18903. It is the purpose of this part to provide the means for eliminating duplication, conflict and overlapping in state building regulations and not to substitute the commission for the responsibilities now vested by law in various state agencies. To that end each state agency concerned shall continue to prepare such building regulations as it is authorized and finds necessary, but such regulations shall not be effective until approved by the commission. The commission shall review such regulations, and if it finds duplication, conflict, or overlapping it shall require any agency to submit revisions of such regulations within not less than 120 days nor more than 180 days after date of the receipt of the request. If such agency does not do so within 180 days, the commission may rewrite, edit, or amend such existing and proposed regulations consistent with the intent of this part, and as provided by the Administrative Procedure Act, Chapter 4 (commencing with Section 11370), Part 1, Division 3, Title 2, of the Government Code. It shall not, however, be required that hearings or other administrative procedures be duplicated on unchanged portions of administrative regulations previously adopted, and approved by the commission.

“State agency” for the purposes of this part does not include a county, city and county, or city.

The commission shall appoint from the building construction industry, the occupancies to be affected by the proposed regulations, and interested governmental agencies, appropriate advisory panels to advise the commission with respect to building regulations. Such persons shall serve without compensation.

SEC. 4. Section 18904 of said code is amended to read:

18904. The commission shall withhold approval and shall require change in any proposed or existing regulation only if it finds duplication, conflict or overlapping, or when the nomenclature or arrangement does not conform to that adopted by the commission. New or amended regulations submitted to the commission shall be approved, or the state agency concerned shall be notified in writing why approval is denied within 120 calendar days after such regulations have been submitted. The commission shall not require any substantive change unless such change is necessary because of duplication,

conflict, overlapping, nomenclature, or arrangement. The commission shall notify all other state agencies concerned with respect to existing as well as proposed regulations and shall make recommendations to eliminate conflicts and to assure consistency and uniformity of all statewide building standards.

SEC. 5. Section 18906 of said code is amended to read:

18906. The commission in co-operation with all state agencies concerned, shall rewrite, where necessary, promulgate and publish, as provided by the Administrative Procedure Act, Chapter 4 (commencing with Section 11370), Part 1, Division 3, Title 2, of the Government Code, a State Building Standards Code which shall, when completed and published, supersede all then existing administrative regulations relating to building standards issued by individual state agencies. The code may contain references to state laws relating to building standards. Thereafter the commission may approve and publish amendments to the code not oftener than once each 90 days, except that by three-fourths vote of all its members the commission may find that an emergency exists and may then adopt and publish amendments as needed.

It is the intent of this part that duplication, overlap, and conflict shall be eliminated from existing statutes. To this end, the commission shall propose to the Legislature means by which this could be accomplished.

SEC. 6. Section 18906.3 of said code is amended to read:

18906.3. For the purpose of this part the term "building standard" means any adopted state administrative regulation or statute pertaining to the construction, alteration or improvement of a "building" as defined in Section 18906.4. The term "building standard" does not include any safety regulations which any state agency is authorized to adopt relating to the operation of machinery and equipment used in manufacturing, processing, or fabricating including, but not limited to, warehousing and food processing operations, scaffoldings, and similar safety devices and procedures, used in the erection, demolition, moving, or alteration of buildings.

SEC. 7. Section 18906.4 of said code is amended to read:

18906.4. For the purpose of this part "building" means any structure as to which state agencies have regulatory power, built for support, shelter, housing or enclosure of persons, animals, chattels, equipment, or property of any kind, and also includes structures wherein things may be grown, made, produced, kept, handled, stored, or disposed of. All appendages, accessories, apparatus, appliances, and equipment installed as a part of a building or structure shall be deemed to be a part thereof, but "building" shall not include machinery, equipment, or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway, or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code.

SEC. 8. Section 18905.1 is added to said code, to read:

18905.1. Any agency, person, firm or corporation that is or may be affected by any regulation, rule, omission or decision of any state agency, relating to duplication, conflict, or overlapping of building regulations, may ask the commission for interpretation or reconsideration of such rule or regulation.

Any request for interpretation or reconsideration shall be in writing to the commission, and the decisions of the commission shall likewise be in writing.

The commission may designate a committee to investigate and report to the commission its findings on any such request for interpretation or reconsideration filed with the commission.

After such interpretation by the commission, proceedings for appeal shall be conducted in accordance with the provisions of the Administrative Procedure Act.

SEC. 9. Section 18905.2 is added to said code, to read:

18905.2. If the commission determines that any regulations are necessary to carry out the intent and purpose of this part, it shall request the appropriate agency having regulatory powers to adopt such regulations. If such agency does not do so within 180 days following the date of the request, the commission shall adopt regulations relating to the subject matter which shall remain in effect until such agency adopts regulations on the subject matter.

All building regulations shall be written, administered, and interpreted on a performance basis consistent with state and nationally recognized standards for building construction as set forth by the commission, in view of the use and occupancy of each structure, and the qualities and quantities of available materials, and methods of construction, to best preserve and protect the public health and safety.

CHAPTER 60

An act to repeal Section 3 of Chapter 2071 of the Statutes of 1959, relative to the transfer and repayment of certain state funds with respect to the loan made to the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945.

[Approved by Governor April 27, 1962. Filed with
Secretary of State May 1, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 3 of Chapter 2071 of the Statutes of 1959 is repealed.

SEC. 2. This act shall become operative on July 1, 1962.

CHAPTER 61

An act to amend Section 75060 of the Government Code, relating to judges, declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 1, 1962. Filed with
Secretary of State May 1, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 75060 of the Government Code is amended to read:

75060. (a) Any judge who is unable to discharge efficiently the duties of his office by reason of mental or physical disability that is, or is likely to be, of a permanent character, may, with his consent and with the approval of the Governor or Acting Governor and the Chief Justice or Acting Chief Justice, be retired from office. The retirement shall be effective upon approval by the designated officers, except as provided in subdivision (b) of this section. A certificate evidencing such approval shall be filed with the Secretary of State. Upon the filing of the certificate, a successor shall be appointed to fill the vacancy.

(b) Any judge who dies after executing an application evidencing his consent and before the approval of both of the designated officers has been obtained shall be deemed to have retired on the date of his death if the designated officers, prior to the filling of the vacancy created by such judge's death, file with the Secretary of State their certificate of approval.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In many instances, a judge is stricken with a serious illness on a weekend or holiday when it is not possible to secure the written approval of the Governor and the Chief Justice of the Supreme Court to the application of the judge for disability retirement. If such approval is obtained before the judge dies, the benefits provided by law for his spouse are preserved; if the approval is not obtained prior to his death, all such benefits are lost. In order to cure this inequity and thus avoid the recurrence of a situation which has arisen twice in the last 60 days, it is necessary that this act take effect immediately.

CHAPTER 62

An act to amend Sections 75030.5, 75101, 75102, and 75103 of, and to add Sections 75028.5 and 75075.1 to, the Government Code, relating to judges' retirement, declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 1, 1962. Filed with
Secretary of State May 1, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 75028.5 is added to the Government Code, to read:

75028.5. After a judge has withdrawn his accumulated contributions upon discontinuance of his service, such service shall not count in the event he later becomes a judge again, until he pays into the Judges' Retirement Fund the amount of accumulated contributions withdrawn by him, plus interest thereon at the rate of 3 percent a year from the date of withdrawal to the date of his payment.

SEC. 2. Section 75030.5 of said code is amended to read:

75030.5. Any judge who first becomes a judge on or after the effective date of the amendment to this section enacted at the 1962 First Extraordinary Session and who has served as an elected state constitutional officer before becoming a judge, or any judge who first became a judge prior to such date who has served as a constitutional officer or as a public legal officer before becoming a judge, has a right to elect by written election filed with the Controller at any time prior to retirement, to make contributions pursuant to this section for, and receive credit in this system as service for all or any part of the time he served as such officer, excluding any period of time for which he is receiving or is entitled to receive a retirement allowance from any other public retirement system. As used herein, the term "elected state constitutional officer" means the holder of the office of Member of the Senate or Assembly, Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Superintendent of Public Instruction, or member of the State Board of Equalization. As used herein, the term "constitutional officer" means the holder of an office created by the Constitution of this State, and "public legal officer" means the holder of any legal office of the State or any agency of the State or of any county or city in the State who is paid a salary or other fixed regular compensation and who is admitted and licensed to practice law in the State of California during the time of holding said office and whose principal duties in said office are legal in nature, such as Attorney General, Legislative Counsel, Commissioner of Corporations, district attorney, county counsel, city attorney, city prosecutor, public defender, or deputy of any such office, or a secretary to the Governor whose duties

include the hearing of extradition matters, admitted and licensed to practice law in the State of California during the time of holding said office and whose principal duties in said office are legal in nature.

Every judge electing to receive credit for service pursuant to this section shall at the time of filing his election, and as a condition to receiving such credit, pay into the Judges' Retirement Fund a sum equal to the amount which would have been deducted from his salary and paid into that fund pursuant to Section 75102 had he been a judge during the time for which he elects to receive credit for service, computed by applying the rates of deduction applicable to judges' salaries during such time to the rate of salary he actually received during his first year as a judge, plus interest at 3 percent a year, to the date of his payment, upon the amounts of such deductions and from the respective dates they would have been paid had he been a judge during the time for which he elects to receive credit for service. Such amount and interest shall be determined by the Controller in accordance with this section.

SEC. 3. Section 75075.1 is added to said code, to read:

75075.1. Any judge who after September 18, 1959, and prior to September 15, 1961, was qualified under Section 75075 to elect to receive the benefits of this article but who did not elect to do so and who died after September 18, 1959, but prior to September 15, 1961, shall be deemed to have elected on the day preceding his death to receive the benefits accorded by this article and the surviving spouse, if any, of such judge shall be entitled to receive any benefits provided by this chapter resulting from such election as of the day of the death of the judge.

SEC. 4. Section 75101 of said code is amended to read:

75101. The State Controller shall at the end of each month ascertain the aggregate amount of the annual salaries of all positions established by law as justices of the Supreme Court and of the district courts of appeal and judges of the superior courts and municipal courts, and out of the State General Fund he shall transfer monthly commencing with the salaries for the month of May, 1962, into the Judges' Retirement Fund a sum equal to 4 percent of one-twelfth of the aggregate amount of such salaries

SEC. 5. Section 75102 of said code is amended to read:

75102. The State Controller shall at the end of each month commencing with the salary for the month of May, 1962, deduct 4 percent from the monthly salary of each Justice of the Supreme Court and of the district courts of appeal and of the portion paid by the State of the monthly salary of each judge of the superior court and shall cause this amount to be paid into the Judges' Retirement Fund.

SEC. 6. Section 75103 of said code is amended to read:

75103. The auditor of each county shall deduct 4 percent from the portion paid by such county of the monthly

salary, commencing with the monthly salary for the month of May 1962 of each judge of the superior court and municipal court, and cause this amount to be paid into the Judges' Retirement Fund.

SEC. 7. Sections 4, 5, and 6 of this act shall become operative on May 1, 1962.

SEC. 8. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to maintain a reasonable reserve in the Judges' Retirement Fund and to assure the long-term financial soundness and integrity of the Judges' Retirement System, it is necessary that the rates of contribution to the fund be increased. In order for the rate to be increased at the earliest possible time in the current fiscal year, it is necessary that this act take effect immediately.

Through a strict interpretation of the Judges' Retirement Law, the widows of judges who were eligible to receive the increased judges' retirement benefits of Article 3.6 (commencing with Sec. 75075) of Chapter 11 of Title 8 of the Government Code but who died prior to the time when such election was made automatic rather than requiring affirmative action on the part of the judge, have by administrative ruling been held to be entitled only to a widow's benefit based on the lesser judges' retirement allowance. In order to cure this inequity in the law between the amount of benefit to widows of judges who have exactly the same status under the law except that the automatic election provision has been held to be inapplicable to certain widows and to preserve the orderly administration of justice and to assure the continued public service of justices and judges of the courts of this State by providing equitable and adequate protection to the beneficiaries of the justices and judges, it is necessary that this act take effect immediately.

CHAPTER 63

An act relating to the tide and submerged lands granted to the City of Vallejo by Chapter 310 of the Statutes of 1913.

[Approved by Governor May 1, 1962. Filed with
Secretary of State May 1, 1962]

The people of the State of California do enact as follows:

SECTION 1. The parcel to which the provisions of this act are applicable consists of that portion of the tide and submerged lands heretofore conveyed to the City of Vallejo upon certain trusts and conditions by Chapter 310 of the Statutes of 1913, more fully described as follows:

Bounded on the Northeast by the Southwesterly boundaries of lands heretofore conveyed by Patents from the State of California to private individuals as tideland surveys; and

Bounded on the West, Southwest and Southeast by a line particularly described as:

Beginning at a point located by commencing at the intersection of the South line of Pennsylvania Street with the East line of Santa Clara Street according to the official map of the City of Vallejo filed September 19, 1868 in Book 1 of Maps at Page 123; thence South $88^{\circ} 53' 30''$ East, 6.55 feet to the True Point of Beginning (said true point of beginning being marked by Monument No. 101 of the Record of Survey and Partition Map filed in the Office of the County Recorder of Solano County, California on April 29, 1952 in Book 2 of Surveys, Page 37); thence due South 114.85 feet to a point on the existing timber bulkhead constructed by the City of Vallejo during the year 1914; thence due South 293 feet to a point on the combined pierhead and bulkhead line as established by the U.S. Army Corps of Engineers; thence S. $38^{\circ} 43' 53''$ E. along said combined U.S. Pierhead and Bulkhead line a distance of 4070.25 feet, more or less to a point on the Northwesterly boundary of the area described in Deed to Basalt Rock Company dated May 25, 1934 and recorded in the office of the County Recorder of said County in Book 124 of Official Records at Page 305; thence N. $54^{\circ} 14' 45''$ E. along the boundary of the area described in said Deed a distance of 301.88 feet to a point on the aforementioned existing timber bulkhead constructed by the City of Vallejo in the year 1914; thence continuing N. $54^{\circ} 14' 45''$ E. along said boundary described in Deed to Basalt Rock Company a distance of 220 feet, more or less, to a point on the Southwest boundary of Tideland Survey No. 25-A, sometimes referred to as No. 25.

SEC. 2. (a) In addition to the purposes expressed in Chapter 310 of the Statutes of 1913, the tide and submerged lands included in the parcel described in Section 1 may be used by the City of Vallejo and its successors for purposes in which there is a general statewide purpose as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient, for the promotion and accommodation of commerce and navigation.

(2) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair and maintenance of commercial and industrial buildings, plants and facilities.

(3) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction,

repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(4) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this section.

(5) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(6) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snack bars, cafes, restaurants, motels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas

(b) The city or its successors shall not, at any time, grant, convey, give or alienate lands included in the parcel described in Section 1, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may, notwithstanding any provision in Chapter 310 of the Statutes of 1913 to the contrary, grant franchises thereon for limited periods, not exceeding 99 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 99 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation. Nothing contained in this section shall be deemed to affect the validity or term of any franchise granted by said city

under the Franchise Act of 1937 or said city's charter, and any such franchise shall be effective with respect to said lands.

(c) Said lands shall be improved without expense to the State; provided, however, that nothing contained in this section shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the State, or any board, agency or commission thereof, when authorized or approved by the city, nor by the city of any funds received for such purpose from the State or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft, aircraft, or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument said lands and record a description and plat thereof in the office of the County Recorder of Solano County.

(j) If said lands, or any part thereof, are not used for the additional purposes authorized by this section within 10 years from the effective date of said section, or if such use is discontinued thereafter, the authorization to use said lands for such additional purposes shall automatically terminate and lapse.

CHAPTER 64

An act calling a special election to be consolidated with the general election of 1962 and to provide for the submission to the electors of the State at such consolidated election of constitutional amendments proposed by the Legislature at the 1962 First Extraordinary Session, to take effect immediately.

[Approved by Governor May 1, 1962. Filed with Secretary of State May 1, 1962.]

The people of the State of California do enact as follows:

SECTION 1. A special election is hereby called to be held throughout the State on the sixth day of November, 1962. The special election shall be consolidated with the general election to be held on the same date. Such consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. At such consolidated election there shall be submitted to the electors, in addition to such other measures as may be submitted in accordance with law, all constitutional amendments proposed by the Legislature at the 1962 First Extraordinary Session. Except as otherwise provided in this act all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measures submitted pursuant to this act.

SEC. 2. Within five days after final adjournment of the 1962 First Extraordinary Session, the author of any constitutional amendment enacted at that session and one member of the opposite house who voted with the majority on the amendment, shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure. If such a constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure. No argument shall exceed 500 words. All such arguments shall be filed with the Secretary of State on or before June 3, 1962.

SEC. 3. Upon the effective date of this act the Secretary of State shall request the Attorney General to prepare a ballot title for the measures submitted pursuant to this act and shall also request the Legislative Counsel to prepare an analysis of said measures in accordance with Section 3566 of the Elections Code. Said title and said analysis shall be filed with the Secre-

tary of State within 10 days after the effective date of this act. The measures submitted pursuant to this act shall be designated on the ballots at the election by their ballot titles.

SEC. 4. This act, inasmuch as it provides for the calling of an election, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

CHAPTER 65

An act to repeal Section 3 of Chapter 1950 of the Statutes of 1961, relating to the conveyance of state property.

[Approved by Governor May 1, 1962. Filed with
Secretary of State May 1, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 3 of Chapter 1950 of the Statutes of 1961 is repealed.

CHAPTER 66

An act to amend Section 11559 of, and add Section 11556.5 to, the Government Code, relating to the salary of the Chief of the Division of Industrial Safety.

[Approved by Governor May 1, 1962. Filed with
Secretary of State May 1, 1962]

The people of the State of California do enact as follows:

SECTION 1. Section 11556.5 is added to the Government Code, to read:

11556.5. An annual salary of fifteen thousand one hundred sixty dollars (\$15,160) shall be paid to each of the following:

(a) Chief of the Division of Industrial Safety.

SEC. 2. Section 11559 of said code is amended to read:

11559. An annual salary of twelve thousand dollars (\$12,000) shall be paid to each of the following:

(a) Each member of the Alcoholic Beverage Control Appeals Board.

(b) Chief of the Division of Industrial Welfare.

(c) Chief of the Division of Housing.

(d) State Librarian.

(e) Secretary of the California Horse Racing Board.

(f) Secretary of the State Athletic Commission.

(g) Registrar of Contractors.

CHAPTER 67

An act to provide for the establishment of the San Diego Unified Port District; to provide for the calling of municipal elections therefor; describing the powers, duties, and functions thereof, authorizing the district to borrow money and issue bonds for district purposes; to provide means of raising revenues for the operation, maintenance and bond redemption of the district; and to provide for the transfer to such district of tidelands and lands lying under inland navigable waters.

[Approved by Governor May 8, 1962. Filed with Secretary of State May 9, 1962.]

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as the San Diego Unified Port District Act.

SEC. 2. It is hereby declared to be the policy of the State of California to develop the harbors and ports of this State for multiple purpose use for the benefit of the people. A necessity exists within San Diego County for such development. Because of the several separate cities and unincorporated populated areas in the area hereinafter described, only a specially created district can operate effectively in developing the harbors and port facilities. Because of the unique problems presented by this area, and the facts and circumstances relative to the development of harbor and port facilities, the adoption of a special act and the creation of a special district is required.

SEC. 3. For the purposes of this act the following words shall have the following meanings:

(a) "District" or "port district" shall mean the San Diego Unified Port District.

(b) "Board" or "board of commissioners" shall mean the Board of Commissioners of the San Diego Unified Port District.

(c) "County" shall mean the County of San Diego.

SEC. 4. A port district for the acquisition, construction, maintenance, operation, development and regulation of harbor works and improvements, including rail, water and air terminal facilities, for the development, operation, maintenance, control, regulation and management of the Harbor of San Diego upon the tidelands and lands lying under the inland navigable waters of San Diego Bay, and for the promotion of commerce, navigation, fisheries, and recreation thereon, may be established or organized and governed as provided in this act and it may exercise the powers expressly granted herein.

Anything herein to the contrary notwithstanding, the powers and authority herein are to be used only as necessary or incident to the development and operation of a port and shall not apply to public utilities operated under the jurisdiction of the Public Utilities Commission of the State of California.

SEC. 5. The area to be embraced in the district shall include all of the corporate area of each of the cities of San Diego, Chula Vista, Coronado, National City, and Imperial Beach which establish the district as provided in this act, and any unincorporated territory in the County of San Diego contiguous thereto, which is economically linked to the development and operation of the Bay of San Diego, included in the district by the board of supervisors of the county as provided in this act.

The jurisdiction of the district to exercise its powers shall extend only over the following areas:

(a) The tidelands and submerged lands granted to the district pursuant to the provisions of this act.

(b) Any airport or airports now or hereafter owned and operated by any of the above-named cities which establish the district, or San Diego County, and which are conveyed to the district by such city or cities or San Diego County.

(c) Any other lands conveyed to the district by any city or by the County of San Diego.

SEC. 6. The Board of Supervisors of San Diego County shall call an election in the area to be included within the district not later than the 1964 State Primary Election on the question of the formation of the district if either of the two conditions specified below is met:

(a) A petition calling for the formation of the district is filed with the board of supervisors from each of the five cities specified in Section 5. Each of the petitions from the five respective cities shall be signed by at least five percent (5%) of the voters registered for the last municipal election in each particular city.

(b) A resolution of consent calling for the formation of the district is filed with the board of supervisors from each of the city councils of the five cities specified in Section 5; provided, that the requirements of this section shall be deemed to have been met if a combination of petitions and resolutions of consent have been filed with the board of supervisors, so long as each of the five cities specified in Section 5, either through a petition or by a vote of the city council, has authorized the calling of an election for the formation of the district.

SEC. 7. The petition or the resolution of consent shall contain:

(a) A declaration calling for the creation of the San Diego Unified Port District, for the purpose of improving and developing the harbor.

(b) A declaration that the tide and submerged lands owned by the particular city should be granted to the district.

SEC. 8. Each signer of a petition within a particular city shall be a registered voter and resident of that city.

SEC. 9. The publication of the petition and the hearing on the petition shall be governed by the provisions of Section 6014 of the Harbors and Navigation Code.

SEC. 10. The election shall be called, noticed, held, and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, oaths of office administered, and all other proceedings incidental to and connected with the election shall be regulated and done, as nearly as may be practicable, in accordance with the provisions of law regulating municipal elections in general law cities.

For the purposes of the election, the terms "board of trustees" and "city clerk," respectively, as used in the Elections Code provisions respecting the conduct of elections in general law cities, shall mean the county board of supervisors and the county clerk, respectively, for the purpose of the election held under this act.

An election called pursuant to the provisions of this act may be consolidated with any other election pursuant to the provisions of Chapter 4 (commencing with Section 23300) of Part 2 of Division 12 of the Elections Code.

SEC. 11. The count of the vote in the election shall be conducted in two parts. One part shall consist of those votes cast in the City of San Diego, and the other part shall consist of all of those votes cast in the other four cities specified in Section 5 and outside territory.

SEC. 12. If the electors in the City of San Diego and the electors in the other four cities specified in Section 5 and outside territory, approve of the formation of the district at an election held pursuant to the provisions of this act, the district shall be established.

SEC. 13. If from the canvass it appears and the board of supervisors finds that a majority of the votes cast in the City of San Diego and a majority of the votes cast in the other four cities and outside territory, the votes of such other four cities and outside territory being combined together, were cast in favor of the formation of the district, it shall enter that fact upon its minutes, together with a description of the boundaries of the district, its name, the official name or names by which the district is commonly known and enter its order declaring the district duly formed and existing in the county.

SEC. 14. Upon the establishment of the district, every city specified in Section 5 shall convey to the district all its right, title and interest in and to the tidelands and submerged lands, together with any facilities thereon, which are owned by the city, including any such lands which have been granted in trust to the city by the State in the Bay of San Diego. The City of San Diego shall convey to the district all its right, title and interest in and to such pueblo lands as lie within the tidelands and submerged lands in the Bay of San Diego, together with any facilities thereon, which are owned by the City of San Diego. Thereafter the title to such lands shall reside in the district, and the district shall hold such lands in trust for the uses and purposes and upon the conditions which are declared in

this act. Notwithstanding any other provision of this act, the City of San Diego shall not be required to convey to the district those lands described in Chapter 778 of the Statutes of 1929, and the City of Coronado shall not be required to convey to the district those lands described in Chapter 1839 of the Statutes of 1953.

SEC. 15. The Board of Supervisors of the County of San Diego may, by ordinance, include within the district unincorporated territory which the board has determined would be benefited by the district.

SEC. 16. The district shall be governed by a board of commissioners who shall be known as "port commissioners." Each city council, respectively, of the cities which are included in the district pursuant to the provisions of this act shall appoint the commissioner or commissioners to which it is entitled, pursuant to this section, to represent that particular city on the board. Three of the commissioners shall be residents of the City of San Diego, one shall be a resident of the City of National City, one shall be a resident of the City of Chula Vista, one shall be a resident of the City of Coronado, and one shall be a resident of the City of Imperial Beach. The commissioners shall be residents of the respective cities they represent at the time of their appointments, and during the term of their office. All of the powers and duties conferred upon the district shall be exercised through the board of commissioners.

SEC. 17. The term of each commissioner shall be for four years, except as provided in this section. Any vacancy shall be filled by appointment by the city council of the city from which the vacancy has occurred. Each commissioner shall continue, however, to hold office until his successor has been appointed and qualified. Each commissioner, before entering upon the duties of his office, shall take and subscribe the oath as provided in Section 1360 of the Government Code of the State of California, and a certificate of the same shall be filed with the city clerk of the city from which the commissioner shall have been appointed, and a copy of which shall be filed with the district. A commissioner may be removed from the board by a four-fifths vote of the city council which appointed such commissioner.

The first board of commissioners appointed after the formation of the district shall so classify themselves by lot that three commissioners shall serve for four years, and the remainder of the commissioners for two years. Thereafter the term of office of each commissioner shall be four years.

SEC. 18. Immediately after their appointment, the commissioners shall enter upon the performance of their duties. The board shall annually elect one of its members as chairman and another as vice chairman, and shall also elect annually a secretary, who may or may not be a member of the board. A majority shall constitute a quorum for the transaction of business.

The board shall make rules and regulations for its own government and procedure, and shall hold at least one regular meeting each month, and may hold such special meetings as it may deem necessary.

The commissioners shall receive no salaries but shall be entitled to reimbursement for necessary traveling and other expenses incurred while engaged in the performance of their duties.

SEC. 19. The board shall draft a master plan for harbor and port improvement and for the use of all of the tidelands and submerged lands which shall be conveyed to the district pursuant to the provisions of this act. A two-thirds vote of the board shall be required to adopt the plan. The board may from time to time modify the master plan by a two-thirds vote of the board.

The provisions in the master plan shall not override or supersede any local existing zoning ordinance which was in effect on April 30, 1962; provided, that if any local zoning ordinance is repealed, or expires, or becomes nonoperative for any reason, thereafter the provisions of the master plan adopted by the board shall control as to all lands and waters under the jurisdiction of the district.

SEC. 20. The board shall establish a fiscal year for its operations and shall at the end of each fiscal year or as soon as possible after the end of each fiscal year, make a complete report of the affairs and financial condition of the district for the preceding fiscal year, which shall show the sources of all receipts and the purposes of all disbursements during the year. The report shall be verified by the chairman of the board and the secretary thereof. The board shall draw up a budget for each fiscal year.

SEC. 21. The board may pass all necessary ordinances and resolutions for the regulation of the district.

SEC. 22. The board may employ engineers, attorneys and any other officers and employees necessary in the work of the district. The port director shall appoint a treasurer whose duty it shall be to receive and safely keep all moneys of the district. He shall comply with all provisions of law governing the deposit and securing of public funds. He shall pay out moneys only on warrants duly authorized by the board and not otherwise; provided, however, that no warrants need be issued for the payment of principal and interest on bonds of the district. He shall at regular intervals, at least once each month, submit to the secretary of the district a written report and accounting of all receipts and disbursements and fund balances, a copy of which report he shall file with the board.

The treasurer may appoint a deputy or deputies for whose acts he and his bondsmen shall be responsible. Such deputy or deputies shall hold office subject to the pleasure of the treasurer and shall receive such compensation as may be provided by the board. The treasurer shall execute a bond covering the faithful performance by him of the duties of his office and his

duties with respect to all moneys coming into his hands as treasurer in such amount as shall be fixed by resolution of said board. The surety bond herein required shall be executed only by a surety company authorized to do business in the State of California and the premium therefor shall be paid by the district out of its general fund. The bond shall be approved by the board and filed with the secretary of the district. The treasurer before entering upon the duties of his office shall take and file with the secretary of the district the oath of office required by the Constitution of this State.

SEC. 23. It may sue and be sued in the name of the district in all courts and tribunals of competent jurisdiction.

SEC. 24. It may adopt a seal.

SEC. 25. It may take by grant, purchase, gift, devise, lease or otherwise acquire, hold and enjoy and lease and dispose of real and personal property of every kind, within the district, necessary to the full or convenient exercise of its power.

SEC. 26. Any proposed use by the district of any particular land within its jurisdiction which would constitute a public nuisance may be prohibited by ordinance adopted by the city within which such land is located.

SEC. 27. It may exercise the right of eminent domain within the boundaries of the district in the manner provided by law for the condemnation of private property for public use and take any property necessary or convenient to the exercise of its powers. In the proceedings relative to the exercise of such right the district has the same rights, powers and privileges as a municipal corporation.

SEC. 28. It may borrow money and incur indebtedness and issue bonds or other evidence of indebtedness. All bond elections called by the board shall be conducted and held pursuant to Article 1 (commencing with Section 43600) of Chapter 4 of Division 4, Title 4 of the Government Code.

When in that article, the word "city" is used it includes the district and whenever the words "legislative body" are used they mean the board.

The purposes for which bonded indebtedness may be incurred by the district are described in Section 26.

All bonds issued shall be signed by the board and the district shall not incur a bonded indebtedness which in the aggregate exceeds 15 percent of the assessed value of all the real and personal property in the district.

SEC. 29. Whenever the improvement and development work for which any issue of bonds has been voted has been constructed and the proceeds of the bonds sold have not been entirely expended, the board may by resolution order that the unexpended proceeds be placed in the fund provided for the purpose of paying principal and interest of the bonds or the board may by resolution direct that all or a part of the unexpended proceeds be used for the purpose of purchasing outstanding bonds of the district. The bonds may be purchased only after the publication at least twice in a newspaper of

general circulation in the district of a notice inviting sealed proposals for the sale of bonds to the district. The notice shall state the time and place when the proposals will be opened and the amount of money available for the purchase of the bonds. The board may reject any or all proposals and if it rejects all thereof, may within a period of 30 days thereafter purchase for cash any outstanding bonds of the district but in that event the purchase price shall not be more than the lowest purchase price at which bonds were tendered to the district in the public bidding.

Any bonds purchased under the authority of this section shall be canceled immediately.

SEC. 30. The board may regulate and control the anchoring, mooring, towing, and docking of all vessels.

SEC. 31. It may perform the functions of warehousemen, stevedores, lighterers, reconditioners, shippers and reshippers of properties of all kinds.

SEC. 32. It may manage the business of the district and promote the maritime and commercial interests by proper advertisement of its advantages and by the solicitation of business within or without the district, within other states or in foreign countries, through such employees or agencies as are expedient.

SEC. 33. It may acquire, purchase, take over, construct, maintain, operate, develop, and regulate grain elevators, bunkering facilities, belt or other railroads, floating plants, lighterage, towage facilities, and any and all other facilities, aids, equipment, or property necessary for or incident to the development and operation of a harbor or for the accommodation and promotion of commerce, navigation, fisheries, or recreation in the district.

SEC. 34. It may by resolution order that all or any of the funds under its control and not necessary for current operating expenses be invested in obligations, bonds or securities of the United States of America or of any agency or instrumentality thereof.

SEC. 35. The board may do all other acts necessary and convenient for the exercise of its powers.

SEC. 36. The board shall by ordinance fix the rate of wharfage charges and other charges which are appropriate for the use of any of the facilities owned and constructed or services furnished or provided by the district.

SEC. 37. The district may itself, without letting contracts therefor, do work and make improvements. The work shall be done under the direction of its officers or employees.

In the construction, reconstruction or repair of public buildings, streets, utilities and other public works, and in furnishing supplies, materials, equipment or contractual services for the same, when the expenditure therefor shall exceed the sum of two thousand five hundred dollars (\$2,500), the same shall be done by written contract, except as otherwise provided

in this act, and the board, on the recommendation of the port director, shall let the same to the lowest responsible and reliable bidder, not less than 10 days after advertising for one day in the official newspaper of the district for sealed proposals for the work contemplated. If the cost of the public contract work exceeds the sum of one thousand dollars (\$1,000), but is not in excess of two thousand five hundred dollars (\$2,500), the board may let the contract without advertising for bids, but not until the port director shall have secured competitive prices from contractors interested, which shall be taken under consideration by the board before the contract is let. The board may, however, upon the recommendation of the port director and by a vote of five of its members, order the performance of any such construction and reconstruction or repair work by appropriate district forces when the estimates submitted as part of the port director's recommendation indicate that the work can be done by the district forces more economically than if let by contract.

In case of a great public calamity, such as extraordinary fire, flood, storm, epidemic or other disaster the board may, by resolution passed by a vote of five of its members, determine and declare that the public interest or necessity demands the immediate expenditure of district money to safeguard life, health or property, and thereupon they may proceed, without advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of, any sum required in such emergency, on hand in the district fund and available for such purpose. All contracts before execution shall be approved as to form and legality by the attorney for the district.

SEC. 37.5. The board may, without advertising for bids, negotiate with the government of the United States for the purpose of assisting the board in the performance of any of the work authorized by this act, and the board may contribute to the United States all or any portion of the estimated cost of any work authorized by this act which is to be done by or under contract with the United States.

SEC. 38. By resolution, the board may provide for the creation and accumulation of a fund for capital outlays.

SEC. 39. At any time after the creation of the fund, the board may transfer to the Capital Outlay Fund any unencumbered surplus funds raised for any purpose whatever, remaining on hand at the end of any fiscal year or years.

SEC. 40. The Capital Outlay Fund shall remain inviolate for the making of any capital outlays and the money shall not be disbursed from the fund except for such a purpose unless the district board submits a proposition to the electors of the district to obtain their consent to use the money in the fund for some other specific purpose. The proposition may be submitted at any election. A two-thirds vote of all the voters voting at the election is necessary to authorize the expenditure of the money for such other purpose.

SEC. 41. Notwithstanding any other provision of this act, the board may borrow money by issuance of promissory notes, or execute conditional sales contracts to purchase personal property, in an amount or of a value not exceeding in the aggregate at any one time the sum of two hundred thousand dollars (\$200,000), for the purposes of constructing or operating any work, project, or facility authorized by Section 26 or for the making of improvements or the purchase of equipment or for the maintenance thereof.

All moneys borrowed pursuant to this section shall not be borrowed for a term exceeding five years, and said indebtednesses shall not incur a rate of interest in excess of six percent (6%) per annum. Each such indebtedness shall be authorized by a resolution of the board of commissioners unanimously adopted.

As a condition precedent to the borrowing of any money or the execution of any conditional sales contract, as provided in this section, in excess of twenty-five thousand dollars (\$25,000), the board shall first unanimously approve by resolution and have on file a report approved by the port director on the engineering and economic feasibility relating to the project contemplated for the expenditure of said borrowed money or conditional sales contract. Said feasibility report shall be prepared and signed by an engineer or engineers licensed and registered under the laws of the State of California.

The district shall budget, levy and collect taxes, and pay for all such indebtedness without limitation by any other provision of this act.

SEC. 42. As to any service which the district is authorized to perform pursuant to the provisions of this act, the district may contract for the performance of such service by the city within which the particular tidelands are located.

SEC. 43. All bonds issued pursuant to this act, except for those authorized by Sections 51 and 52 of this act, are obligations of the district and so long as the bonds are outstanding and unpaid the board of supervisors of the county shall at the time of fixing the general tax levy and in the manner provided for such general tax levy until the bonds are paid or until there is a sum in the treasury of the district set apart for that purpose, sufficient to meet all sums coming due for principal and interest, levy and collect annually a tax sufficient to pay the annual interest on such bonds as it comes due and such part of the principal thereof as will become due before the proceeds of another tax levy made at the time of the next general tax levy for county purposes can be made available for the payment of said principal.

In the event the district has moneys on hand in any year sufficient to meet all or part of the sum coming due for principal and interest on the bonds prior to the time that the proceeds of a tax levy made at the time of the next general tax levy for county purposes can be made available for the payment of the principal and interest and the moneys have been

placed in a fund for the purpose of payment of the principal and interest the amount of moneys to be raised by the annual tax for that year may be reduced to a sum sufficient to provide the balance of moneys necessary for the purpose of payment of the principal and interest.

All taxes collected for the payment of principal and interest, shall when collected by the county tax collector, be paid to the treasurer of the district.

SEC. 44. The board shall, at least 30 days before the meeting of the board of supervisors at which the general tax levy is fixed, notify the board of supervisors in writing of the amount of money necessary to be raised by taxation to meet the payment of principal and interest on outstanding bonds which will become payable before the proceeds of another tax levy made at the time of the next general tax levy for county purposes can be made available for payment of the principal and interest. In fixing the amount of money to be raised by taxation the board of commissioners may take into account all moneys on hand and set aside in a fund for the purpose of paying the principal and interest and the amount of moneys to be raised by taxation shall be the amount required in addition to any moneys on hand and so set aside for the purpose of payment of the principal and interest.

SEC. 45. The taxes shall be levied upon all of the taxable property within the district taxable for county purposes and are in addition to all other taxes levied for all other county purposes and shall be collected at the same time and in the same manner as other county taxes are collected and shall be used for no purpose other than for the payment of the bonds and accrued interest.

SEC. 46. On or before the 15th of June of each year, the district board shall estimate and determine the amount of money required by the harbor district and shall adopt a preliminary budget which shall be divided into the following main classes:

- (1) Ordinary annual expenses.
- (2) Capital outlay and Capital Outlay Fund.
- (3) Prior indebtedness.

SEC. 47. On or before the 15th day of June of each year, the board shall publish a notice pursuant to Section 6061 of the Government Code throughout the district stating:

(1) That the preliminary budget has been adopted and is available at a time and at a place within the district specified in the notice for inspection by interested taxpayers.

(2) That on a specified date not less than one month after the publication of the notice and at a specified time and place, the district board will meet for the purposes of fixing the final budget, and that any taxpayer may appear and be heard regarding the increase, decrease or omission of any item in the budget or for the inclusion of additional items.

SEC. 48. At the time and place designated in the published notice for the meeting, any taxpayer may appear and be heard

regarding the increase, decrease or omission of any item in the budget or for the inclusion of additional items. The hearing on the budget may be continued from time to time.

SEC. 49. The district board shall report the final budget to the board of supervisors after the budget hearing but not later than the first day of August each year after making any changes in the preliminary budget it deems advisable during or after the hearing, including deductions, increases or additions.

SEC. 49.5. The Board of Supervisors shall at the time of levying the county taxes levy a tax upon all the taxable property within the district sufficient to meet the amounts set forth in the final budget submitted by the district board. The money when collected by the tax collector of the county shall be paid to the treasurer of said district; provided further, that any levy for capital outlay or for Capital Outlay Fund shall not exceed three cents (\$.03) per hundred dollars (\$100) assessed valuation of all real and personal property in the district.

SEC. 50. Bonds issued by the district pursuant to this act are legal investments for all trust funds, and for the funds of all insurers, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever any money or funds may, by law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts or municipalities in this State, such money or funds may be invested in bonds of the district organized pursuant to this act.

SEC. 51. The district may create a revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers. The issuance of the bonds shall be authorized by ordinance adopted by two-thirds of all the members of the board, to take effect upon its publication. The secretary shall publish the ordinance once in a newspaper of general circulation printed in the district, and if there is none, then in such newspaper published in the county in which the district is located. The ordinance shall specify the total amount, denomination, method of maturity, and the rate or maximum rate of interest of the bonds, and in general terms, the acquisitions and improvements to be constructed thereby; and, in addition, shall contain such other and further provisions as in the judgment of the board are deemed advisable.

SEC. 52. The proceeds of the revenue bonds shall be placed in an account in the treasury of the district to be entitled San Diego Unified Port District Revenue Construction Fund No. -----, and used exclusively for the objects and purposes mentioned in the ordinance. The lien of the bonds of the same issue shall be prior and superior to all revenue bonds subsequently issued. Proceedings for the issuance of the bonds shall be had, the board shall have such powers and duties, and the bondholders shall have such rights and remedies, all in

substantial accordance with and with like legal effect as provided in Sections 54344 to 54346, inclusive, 54347, 54348, 54350, 54351, 54352, and in Articles 4 to 11, inclusive, of Chapter 6, Part 1, Division 2, Title 5 of the Government Code. As used therein the word "resolution" shall mean ordinance, the words "local agency" shall mean district, and the words "legislative body" shall mean board.

SEC. 53. In the manner provided in this act, there may be annexed to the district any of the following territory which is in the same county as the district:

- a. Any territory contiguous to the district.
- b. Any territory, any point of which touches the district.
- c. Any territory separated from the district by a "separating barrier," which term includes a street, road, highway, railway line, railway crossing, railway right-of-way, watercourse, lagoon, or other natural barrier.
- d. Any territory specified in this section may consist of one or more separate parcels of land, but it is not necessary that all parcels shall constitute in the aggregate one tract of land.

SEC. 54. Any territory specified in Section 53 may be annexed in the manner provided for sanitary districts in the Health and Safety Code. The alteration of boundaries shall be ordered by the board of supervisors of the county in which the property is located.

SEC. 55. The board shall:

- (a) Make and enforce all necessary rules and regulations governing the use and control of all navigable waters and all tidelands and submerged lands, filled or unfilled, and other lands within the territorial limits of the district.
- (b) Regulate and control the anchoring, mooring, towing and docking of all vessels
- (c) Establish and maintain a system of harbor police and may establish harbor fire protection within the territorial limits of the district for the enforcement of the ordinances, rules and regulations of the district, and employ the necessary officers, who shall as to such matters have all the power of peace officers and firemen within the district; or in the alternative, the district may contract with the municipalities whose territorial limits are adjacent to or contiguous to those of the district to provide such services.

SEC. 56. The board shall make and enforce such local police and sanitary regulations relative to the construction, maintenance, operation and use of all public services and public utilities in the district, operated in connection with or for the promotion or accommodation of commerce, navigation, fisheries, and recreation therein as are now vested in the district.

SEC. 57. The board may acquire, erect, maintain or operate within the district, all improvements, utilities, appliances or facilities which are necessary or convenient for the promotion and accommodation of commerce, navigation, fisheries, and recreation, or their use in connection therewith upon the lands

and waters under the control and management of the board, and it may acquire, maintain and operate facilities of all kinds within the district.

SEC. 58. In case of emergency the board may suspend, modify or amend any rule or regulation of the board, or it may place in effect any emergency rule or regulations, for periods not exceeding thirty (30) days, and every such ordinance shall so provide.

SEC. 59. Any person who violates the provisions of any ordinance, or any local police or sanitary regulation, of the board shall be guilty of a misdemeanor. The prosecution shall be conducted by the City Attorney of San Diego if the infraction occurred within the corporate limits of the City of San Diego on lands or waters subject to the jurisdiction of the district. The prosecution shall be conducted by the District Attorney of San Diego County if the infraction occurred without the corporate limits of the City of San Diego but otherwise on lands or waters subject to the jurisdiction of the district. The complaint shall be filed in the judicial district within which the infraction occurred.

SEC. 60. In the absence of the adoption of any police, fire and sanitary regulations by the district, the police, fire and sanitary regulations of any municipal corporation whose boundaries are adjacent to or contiguous to the territorial limits of the district shall be applicable.

SEC. 62. The enacting clause of all ordinances passed by the board shall be in substantially the following form:

"The Board of Port Commissioners of San Diego Unified Port District do ordain as follows:"

All ordinances and resolutions shall be signed by the chairman of the board and attested by the clerk.

SEC. 63. All ordinances and resolutions shall be entered in the minutes. All ordinances passed by the board shall be published, with the names of the members voting for and against them at least once in some daily newspaper of general circulation printed and published in the County of San Diego.

SEC. 64. An ordinance passed by the board shall not go into effect until the expiration of 30 days from its publication.

This section does not apply to any ordinance ordering or otherwise relating to:

- (a) An election.
- (b) The adoption of the annual budget.
- (c) The bringing or conducting of suits or actions.
- (d) The condemnation of private property for public use.
- (e) The immediate preservation of the public peace, health or safety, which ordinance shall contain a specific statement showing its urgency and be passed by a two-thirds vote of the board.

All ordinances of the classes excepted, take effect upon their publication. A grant or franchise, lease, right or privilege shall never be construed to be an urgency measure.

All grants or franchises, leases, rights or privileges shall be made by ordinance.

Irrevocable permits shall not be granted or issued to any person.

SEC. 65. The district created in accordance with the provisions of this act is a public corporation created for the purposes set forth herein.

SEC. 66. The district may contribute money to the federal or the state government or to the county in which it is located or to any city within the district, for the purpose of defraying the whole or a portion of the cost and expenses of work and improvement to be performed, either within or without the territorial limits of the district, by the federal, state, county or city government, in improving rivers, streams, or in doing other work, when such work will improve navigation and commerce, in or to the navigable waters in the district.

SEC. 67. The district shall take over and assume the bonded indebtedness incurred for development of tide and submerged lands of the county or any city specified in this act which shall have heretofore issued bonds or created any bonded indebtedness for harbor development or improvement in the Bay of San Diego and to issue any bonds for the retirement of any such outstanding bonded indebtedness. For the purpose of retiring bonds assumed by the district, the revenues, if any, from the facility or facilities constructed through the use of the bond proceeds shall be used to retire such bonds. Proceeds raised through taxation may also be used to retire such bonds.

The district shall also take over and assume other indebtedness, including indebtedness arising out of contractual obligations, of the county or any city specified in this act which indebtedness shall have been incurred for development of tide and submerged lands.

SEC. 68. The State hereby consents to the county or any city which has elected to join the district established under the provisions of this act to grant its right, title and interest in and to the tidelands, submerged lands, whether filled or unfilled, swamp, overflowed, and salt marshlands in the Bay of San Diego, which are owned by the county or any city, including any such lands which have been granted in trust to the county or city by the State, to the district in trust for the uses and purposes and upon the conditions specified in this act. The county or such city may also transfer, relinquish and surrender to the district its power to manage, conduct and operate the harbor in or adjacent to which such portion of such lands are situated. The district shall, upon its establishment in accordance with the provisions of this act, become the successor of the county or such city whose tide and submerged lands shall have been included therein with respect to the management, conduct and operation of the harbor and with respect to the use, possession and title to such portions of such lands, and

they shall continue to be held and used by the district pursuant to this act.

SEC. 69. If the district is dissolved by operation of law, or otherwise, any such lands so granted thereto pursuant to this act, together with any and all improvements thereon, and the management, conduct and operation of such harbor, reverts to and is revested in the county or city so granting the same to the district. The lands reverting to the cities or the county pursuant to this section shall be held by the respective cities or the county in trust subject to the conditions, terms, and purposes of this act.

SEC. 70. Whenever the district is established under the provisions of this act it is the successor of the county and each of the cities included therein as to all powers theretofore vested in the county or each such city or exercisable by its officers, which are by the provisions of this act granted to the district or are exercisable by its officers. Such powers are relinquished by the county and the cities and surrendered to the district. The title to, and possession and control of, any works, structures, appliances, improvements and equipment of the kinds designated in this act, owned or held by or in trust for the county and each of the cities, or by any officer or board thereof, in trust or otherwise, for any purpose for which the district is authorized to acquire and use property pursuant to this act, are upon the establishment of the district, transferred to and vested in the district and are thereafter owned, operated and controlled by the district pursuant to this act.

SEC. 71. Upon the establishment of the district, all persons then occupying the several offices of or under the government, of the county and each of the cities included therein, except as otherwise provided, whose several powers and duties are within the powers of the district or within the powers or duties of the several officers thereof, shall immediately quit and surrender the occupancy or possession of such offices which shall thereupon cease and determine, except as to any persons who have powers and perform duties for the county and the cities other than those mentioned, whose offices shall not cease and determine as to such other powers and duties but shall continue with respect thereto the same as if the district had not been established.

Notwithstanding the provisions contained in this section, all employees of the county and any city performing duties in connection with the Port of San Diego or the respective harbor departments, shall be blanketed in as employees of the district; and the district is empowered to contract with the State Employees' Retirement System and may provide retirement and disability benefits for employees under the State Employees' Retirement System pursuant to its rules and regulations. The district may, by contract, continue such employees of the district so blanketed in as members of the retirement system of which they were members while they were employees of the respective cities.

SEC. 72. The officers of the district shall be:

- (a) An auditor.
- (b) A port director.
- (c) An attorney.
- (d) A clerk.
- (e) A treasurer.
- (f) A chief engineer.

The auditor, port director, and attorney shall be appointed by the board. All other officers shall be appointed by the port director and confirmed by the board.

SEC. 73. The salaries of the officers shall be fixed by the board by ordinance. The auditor and attorney shall hold office at the pleasure of the board. All other officers shall be appointed from a classified civil service. All officers shall give such bond as is prescribed by the board; the premium on all bonds on officers and employees shall be paid by the district. All other officers or employees shall be appointed by the port director from a classified civil service. The board shall establish a classified civil service for all offices and phases of employment other than the offices specified herein.

SEC. 75. The board may adopt civil service rules and regulations in accordance with the following provisions:

- (a) The civil service rules and regulations shall provide:
 - (1) For the qualifications and examination of all applicants for employment and for the employment of persons on probation
 - (2) For the registration of persons, other than unskilled laborers, in the classified civil service, in accordance with their general average standing upon examination.
 - (3) For promotions on the basis of ascertained merit and seniority in service and examination, and for competitive examinations for promotions.
 - (4) For the reassignment of persons injured in the service of the district who were at the time of injury actually engaged in the discharge of the duties of their positions.
 - (5) For leaves of absence.
 - (6) For the transfer from one position to a similar position of the same class.
 - (7) For the reinstatement to the list of eligibles on recommendation of the port director, of persons who have become separated from the service or have been reduced in rank, other than persons who have been removed for cause.
 - (8) For the keeping of service records of all employees in the civil service, and for their use as one of the bases for promotions or layoffs through stoppage or lack of work.
 - (9) For the procedure for the removal, discharge or suspension of employees; for the investigation by the board of the grounds thereof, and for the reinstatement or restoration to duty of persons found to have been removed, discharged or suspended for insufficient grounds or for reasons which are not sustained by investigation.

(10) Generally for any other purpose which may be necessary or appropriate to carry out the objects and purposes of the civil service system and the rules herein specifically authorized.

(b) Upon the request of the port director, the following persons may be exempted by the board, by ordinance, from the civil service:

(1) Persons employed to render professional, scientific, technical or expert service of a temporary or exceptional character.

(2) The first and second deputies or assistants of any officer of the district or of the chief engineer in the service of the district.

(3) Persons employed on the construction of district works, improvements, buildings or structures.

(4) Persons receiving a salary not exceeding fifty dollars (\$50) a month.

Any exemption so made may be terminated at any time by resolution of the board.

(c) All officers and employees who, at the time of the establishment of the district, would be included in the classified civil service of the district, if a classified civil service is established, and who have been continuously in the service of the harbor department of a municipal corporation included in the district for a period of six months prior to the district's establishment, are deemed to have the necessary qualifications required by the provisions of this act and they retain the same respective or equivalent positions as nearly as practicable under the district which they formerly held in such municipal corporation.

(d) All officers and employees who, at the time of the establishment of the district, would be included in the classified civil service, if a classified civil service is established, but who have been in the service of the harbor department of any such municipal corporation for a period of less than six months, are deemed to be in the service of the district under probation, and are subject to the same regulations as other applicants for appointment to the civil service of the district serving under probation in accordance with rules and regulations established by the board.

SEC. 76. Nothing herein contained shall prevent the board from contracting with the County of San Diego to utilize the services of its civil service commission office or department to effectuate the purposes hereof.

SEC. 77. The salaries or wages of all officers and employees of the district shall be paid either monthly, semi-monthly or weekly as the board by ordinance may determine.

SEC. 78. Such persons shall severally forthwith deliver and turn over to the proper officers of the district, all property of the county and each city in their hands or under their control

including any and all works, structures, appliances, improvements and equipment of the character, kinds or classes enumerated or designated in this act and pertaining to harbor improvements or affairs.

SEC. 79. The provisions of this act shall apply to any municipal corporation which is governed under a freeholders' charter even if such provisions are inconsistent with the charter or its amendments, it being hereby declared that such provisions are a matter of statewide concern and are to prevail over any inconsistent provisions in any such charter. If the district is dissolved by operation of law or otherwise, any such works, structures, appliances, improvements and equipment are vested in such municipal corporation, together with any other works, structures, appliances, improvements and equipment acquired or constructed by the district in that portion of the district within the limits of each such municipal corporation respectively.

SEC. 80. All money received or collected from or arising out of the use or operation of any harbor or port improvement, work, appliance, facility or utility, or vessel, owned, controlled or operated by the district; all tolls, charges and rentals collected by the board, and all compensations or fees required to be paid for franchises or licenses, or otherwise by law or ordinance or order, to the district for the operation of any public service utility upon lands or waters under the control and management of the board, shall be deposited in the treasury of the district to the credit of a fund to be known as the San Diego Unified Port District Revenue Fund. The money in or belonging to the fund shall not be appropriated or used for any purpose except those enumerated in this act.

SEC. 81. The fund may be used for the necessary expenses of conducting the district, including the operation and maintenance of all harbor or port improvements, works, utilities, appliances, facilities and vessels owned, controlled or operated by the district for the promotion and accommodation of commerce, navigation, fisheries, and recreation, or used in connection therewith, and for the purposes set forth in any grants in trust.

SEC. 82. The money in the fund may also be used for advertising the commercial and other advantages and facilities of any harbor in the district, and for encouraging and promoting commerce, navigation and transportation in and through such harbor.

SEC. 83. The money in the fund may also be used for the acquisition, construction, completion and maintenance of harbor and port improvements, works, utilities, appliances, facilities, and vessels, for the promotion and accommodation of commerce, navigation and fisheries, and recreation, or uses in connection therewith; and for extraordinary improvements and betterments to lands and property under the control,

supervision and management of the district, including the purchase or condemnation of necessary lands and other property and property rights.

SEC. 84. The money in the fund may also be used for the payment of the principal, or interest, or both, of district bonds authorized, issued and sold pursuant to this act.

SEC. 85. The money in the fund may also be used for the payment of the principal or interest, or both, of the bonds of the county or any city in the district, for harbor improvements, authorized or outstanding prior to the establishment of the district, or thereafter issued and sold by such county or city for harbor improvements pursuant to this act.

SEC. 86. The port director may make application in writing to the board for a transfer of amounts from one appropriated item to another in the budget allowance. On the approval of the board by a two-thirds vote, the auditor shall make such transfer; but a transfer shall not be made except as herein provided, and in any event a transfer shall not be made from one bond improvement fund to another.

SEC. 87. (a) The tide and submerged lands conveyed to the district by any city included in the district shall be held by the district and its successors in trust and may be used for purposes in which there is a general statewide purpose, as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient, for the promotion and accommodation of commerce and navigation.

(2) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair and maintenance of commercial and industrial buildings, plants and facilities.

(3) For the establishment, improvement and conduct of airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(4) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this section.

(5) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and

meeting places, convention centers, parks, playgrounds, bath-houses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(6) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snack bars, cafes, restaurants, motels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(b) The district or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said district, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation.

(c) Said lands shall be improved without expense to the State; provided, however, that nothing contained in this section shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the State, or any board, agency or commission thereof, when authorized or approved by the district, nor by the district of any funds received for such purpose from the State or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the district or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft, aircraft, or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands shall be held subject to the express reservation and condition that the State may at any time in the future use said lands or any portion for highway purposes without compensation to the district, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the district, survey and monument said lands and record a description and plat thereof in the office of the County Recorder of San Diego County.

(j) As to any tide and submerged lands conveyed to the district by a city which are subject to a condition contained in a grant of said lands to the city by the State that said lands shall be substantially improved within a designated period or else they shall revert to the State, such condition shall remain in effect as to said lands and shall be applicable to the district.

As to any tide and submerged lands conveyed to the district by a city which are not subject to such a condition contained in a grant by the State and which have not heretofore been substantially improved, said lands, within 10 years from the effective date of this act, shall be substantially improved by the district without expense to the State. If the State Lands Commission determines that the district has failed to improve said lands as herein required, all right, title and interest of the district in and to said lands shall cease and said lands shall revert and rest in the State

CONCURRENT AND JOINT
RESOLUTIONS
AND
CONSTITUTIONAL AMENDMENTS
FIRST EXTRAORDINARY SESSION
1962

CONCURRENT AND JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

ADOPTED AT THE 1962 FIRST EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

Assembly Concurrent Resolution No. 6--Relative to St. Patrick's Day.

[Filed with Secretary of State, March 21, 1962.]

WHEREAS, On March 17, 1962, the people of the State of California will pause in their daily deliberations to join with millions throughout this country and the world in paying homage to St. Patrick, the illustrious Saint of the Emerald Isle; and

WHEREAS, It was over fifteen hundred years ago that a simple, sublime young man, with an atmosphere of Heaven about him, walked through the gently sloping hills of Ireland preaching the Word of God and the brotherhood of man; and

WHEREAS, When his footsteps were silenced forever, the young man, beloved by all today as St. Patrick, had left the Irish people a heritage of Christianity, a passionate love of liberty and freedom, and the priceless gifts of courage, generosity, and humor; and

WHEREAS, This rich legacy has been spread to the four corners of the earth by the sons and daughters of Ireland; and

WHEREAS, The Irish people have always responded to the memory of St. Patrick with the depth of human affection undiminished by the passage of centuries, and again on March 17, 1962 will celebrate his Feast Day; and

WHEREAS, The Legislature of the State of California deems it fitting and proper that the Patron Saint of Ireland be so honored and revered; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That this body along with the citizens of the State of California pay homage to St. Patrick, Patron Saint of Ireland, great scholar and man of God; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the Foreign Minister of Eire; Mr. William J. McKavanagh, President, San Francisco United Irish Societies; the President,

Los Angeles United Irish Societies; the President of Ancient Order of Hibernians of Sacramento; the Honorable Irish Consul General of San Francisco; and the Honorable George R. Reilly, Chairman, St. Patrick's Day Parade, San Francisco.

CHAPTER 2

Assembly Concurrent Resolution No. 1—Congratulating the Advance-Star and Green Sheet.

[Filed with Secretary of State, March 21, 1962.]

WHEREAS, The Advance-Star and Green Sheet has received, for the second consecutive year, the California Newspaper Publishers Association 1961 Award for General Excellence among the nondaily newspapers of California; and

WHEREAS, This award of the California Newspaper Publishers Association is the one most highly regarded among newspaper publishers in the State, representing as it does the achievement by a newspaper of outstanding performance in all respects; and

WHEREAS, The Advance-Star and Green Sheet was awarded two additional first-prize honors: best front page, for the second consecutive year; and best typography, for the fourth consecutive year; and

WHEREAS, The Advance-Star and Green Sheet also received honorable mention for best editorial page; and

WHEREAS, These well-deserved awards were won through the diligence and combined efforts of the entire newspaper staff, Editor John M. Hubbard and Publisher James A. Wood; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members of this Legislature hereby commend and congratulate the Advance-Star and Green Sheet, its publisher, James A. Wood, Editor John Hubbard, and the members of the newspaper staff on their distinguished record, commend them for their fine public service in providing a high-quality newspaper for their community and their State, and offer every good wish for the continued success of this outstanding newspaper; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to the Peninsula Newspaper, Inc., Publisher James A. Wood and Editor John M. Hubbard.

CHAPTER 3

Assembly Concurrent Resolution No. 2—Congratulating the San Bruno Herald.

[Filed with Secretary of State, March 21, 1962.]

WHEREAS, The San Bruno Herald, a weekly newspaper published by A. I. Cloud in San Bruno, San Mateo County, California, has been honored by the California Newspaper Publishers Association as first award winner for the best women's interest coverage of all newspapers of its class in California; and

WHEREAS, The Best Women's Interest Coverage Award is based upon the presentation of club activities, social activities, and special women's interest news, such as cooking, fashions and makeup; and

WHEREAS, The San Bruno Herald may justly be proud of its fine award which was won through the efforts of its publisher and especially of its women's editor, Mrs. Jane Dryden; and

WHEREAS, This marks the third award won by the San Bruno Herald within a year, the newspaper having previously been given the John Swett Award for "Outstanding Editorials in the Interest of Education" last December, and having been awarded third place, nationally, for General Excellence by the National Editorial Association last June; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature congratulate and commend Women's Editor Mrs. Jane Dryden and Publisher A. I. Cloud on receiving their award and on their outstanding coverage of women's interests; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. A. I. Cloud, publisher of the San Bruno Herald, and to Mrs. Jane Dryden, women's editor of the San Bruno Herald.

CHAPTER 4

Assembly Concurrent Resolution No. 3—Congratulating the Millbrae Sun.

[Filed with Secretary of State, March 21, 1962.]

WHEREAS, The Millbrae Sun, a weekly newspaper published by Mrs. Anne Loftus and Mr. Everett Bey in Millbrae, San Mateo County, California, has received national recognition from the Newspaper Association Managers, Inc in winning the grand award, a gold trophy for first prize for newspapers of its class for the best promotion of Newspaper Week in the entire United States; and

WHEREAS, During its 26 years of publication, the Millbrae Sun has faithfully and objectively served its community and the Bay area; and

WHEREAS, The Millbrae Sun may be justly proud of its well-deserved grand award which was earned by the combined efforts of its staff, its editor and its publisher; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature congratulate and commend the staff of the Millbrae Sun, its publisher, Mrs. Anne Loftus, and its copublisher and editor, Mr. Everett Bey, for winning the grand award in national competition; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies to the Millbrae Sun, Mrs. Anne Loftus, publisher, and Mr. Everett Bey, copublisher and editor.

CHAPTER 5

Senate Concurrent Resolution No. 1—Relative to the Joint Rules of the Senate and Assembly.

[Filed with Secretary of State March 22, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Rules of the Senate and Assembly for the 1962 Regular Session be and the same are hereby adopted as the Joint Rules of the Senate and Assembly for this 1962 First Extraordinary Session.

CHAPTER 6

Senate Concurrent Resolution No. 3—Relative to proclaiming March 15th to April 22d as Easter Seal Month.

[Filed with Secretary of State March 22, 1962.]

WHEREAS, The California Society for Crippled Children and Adults has, since its founding in 1926, served a vital need in the development and provision of services for California's handicapped children and adults; and

WHEREAS, The Society, known as the Easter Seal Society, has through its leadership in broadening the public understanding and acceptance of the aspirations of the physically handicapped, contributed toward the pre-eminent position which California holds in our nation in the field of special care and services for the handicapped; and

WHEREAS, The California Society's contribution to the attainment of this pre-eminence is attested by its role in the

establishment of the State Bureau of Crippled Children Services, in the founding and expansion of special education programs for crippled children, and in its history of teamwork with Vocational Rehabilitation Services and other tax-supported and voluntary agencies for the handicapped; and

WHEREAS, The 49 local organizations of the society throughout California provide a broad range of services in the fields of therapy, medicine, recreation and guidance, whose objective is to assist our physically handicapped adults and children to achieve the maximum fulfillment of their potential as productive and secure members of their community, state and nation; and

WHEREAS, More than 23,000 California handicapped children and adults of all ages, races and creeds, received the direct benefit of Easter Seal services during 1961, such services being extended to them without qualification as to the cause of the crippling or handicapping condition; and

WHEREAS, The tremendous strides of medical science have increased the survival and life expectancy of those crippled or handicapped at birth, or by subsequent disease or injury—a step forward which must be matched in our progress toward adequate expansion of our facilities and services for the resulting increase in our handicapped population; and

WHEREAS, Deborah Allmendinger of Lodi, California, has been chosen as California's 1962 Easter Seal Child as a representative of the courage and achievements of our handicapped children, and as a symbol of the generosity and humanity of the people of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature in honor of the occasion of the visit to its chambers by Deborah Allmendinger, hereby designates the period from March 15th through April 22d, 1962, as Easter Seal Month to inspire the California public to support generously the voluntary Easter Seal fund campaign in order to assist our physically handicapped citizens to make their full contribution to the economic, cultural and social growth of our commonwealth; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a suitably prepared copy of this resolution to Deborah Allmendinger and the California Society for Crippled Children and Adults.

CHAPTER 7

Senate Joint Resolution No. 1—Relating to price supports for milk.

[Filed with Secretary of State April 2, 1962.]

WHEREAS, Milk is recognized as one of the most basic food commodities and is necessary for the health and well-being of all citizens; and

WHEREAS, It has long been recognized that because of the many problems involved both in production and marketing of milk that it is necessary for the government to guarantee through price supports a fair and equitable return to the producer of milk; and

WHEREAS, Without such price supports the producers of milk would be forced into other activities, with the result that the public would be deprived of a proper supply of this basic food; and

WHEREAS, Under the provisions of law providing for price support for whole milk, butterfat, and the products of such commodities (Sec. 1446, Title 7, U.S.C.), unless the Secretary of Agriculture determines that a given parity price is necessary in order to assure an adequate supply of these products, the statutorily guaranteed price will not be effective after March 31, 1962; and

WHEREAS, The Secretary of Agriculture in making such determination should carefully consider not only the immediate supply available but the supply which can reasonably be expected in the future; and

WHEREAS, If such support price is lowered, such lowering will drive from the market innumerable producers, which would endanger the continuation of an adequate supply; and

WHEREAS, A determination of the adequacy of the supply of any commodity, and particularly milk, must, in a nation as large and diversified as the United States, be based not only on the immediate situation but also on the overall long-range situation if the public is to be assured of the continuous supply required for its health and well being; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the United States Secretary of Agriculture and the Congress of the United States are hereby respectfully requested to take all action possible to safeguard the future supply of milk by continuing the present level of price supports, and particularly that the Secretary of Agriculture give proper consideration to the fact that any lowering of such price support level will require many producers to cease such production; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to the United States Secretary of Agriculture, to the President and Vice President, to the Speaker of the House of Representatives, to the chairman of the Senate Standing Committee on Agriculture and Forestry and to the chairman of the House Standing Committee on Agriculture, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 8

*Assembly Concurrent Resolution No. 10—Relative to
commending the City of Lynwood.*

[Filed with Secretary of State April 3, 1962.]

WHEREAS, The City of Lynwood has received the singular honor and distinction of being chosen an official 1962 All-America City winner; and

WHEREAS, Lynwood has been honored by the National Municipal League and Look Magazine along with 10 other outstanding communities in the nation; and

WHEREAS, This fair city was the only city in California to be selected for this high civic honor, and this coveted award was one of only three to be accorded to cities on the West Coast; and

WHEREAS, Lynwood was cited as a community with 70 Freedom Foundation awards, for establishing a youth employment agency, for the completion of a pay-as-you-go civic center (complete with natatorium, city hall, police wing, community service building and recreation center), and for maintaining responsible and efficient municipal administration which has cut the city tax rate in half over a seven-year period; and

WHEREAS, In order for a city to be eligible for the All-America City award it must show outstanding civic achievement of benefit to the community as a whole, and it must give evidence that these achievements resulted from the initiative and effort of a substantial number of citizens working together to improve their community; and

WHEREAS, This award is a glowing tribute to the citizens of Lynwood and their concerted efforts; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of this State does hereby commend and congratulate the citizens of the City of Lynwood, its civic officials, and its press, for their splendid community work which resulted in their city being selected as an All-America City; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Honorable Thomas Pender, Mayor of Lynwood, and to Harold Campbell, City Clerk.

CHAPTER 9

Assembly Joint Resolution No. 1—Relative to the selection of the City of Antioch as a site for an experimental saline water conversion plant.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, The northerly shore of Contra Costa County, upon which the City of Antioch and its extensive industrial developments are situated, has historically enjoyed an available supply of fresh water throughout most of the year; and

WHEREAS, That supply has steadily deteriorated, due to salt water intrusion, caused by upstream water diversions and storage on the Sacramento and San Joaquin Rivers and their tributaries, with the attendant threat to growth of municipal communities and industrial developments in Contra Costa County; and

WHEREAS, The United States Bureau of Reclamation has taken the position that salinity control is not a proper function of the Central Valley Project, and has only tacitly agreed that releases from Shasta Dam, the only present means of controlling salinity encroachment, will not be diminished until Contra Costa County finds another solution to its problem; and

WHEREAS, Economical conversion of saline to fresh water could solve this county's problem by supplying an adequate amount of water for domestic, agricultural and industrial uses as replacement for water lost through upstream diversions; and

WHEREAS, The Antioch site is an ideal one for a conversion plant since the seasonal variations in salinity of offshore water and the many varied uses in and near Antioch for fresh water, will provide ideal conditions for making economic analysis of the conversion process; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, and the United States Department of the Interior, to take such action as may be necessary for the selection of the City of Antioch as a site for an experimental saline water conversion plant; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Interior.

CHAPTER 10

Assembly Joint Resolution No. 3—Relative to federal aid for state veterans' homes and hospitals.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, There are 33 state veterans' homes and hospitals in the United States; and

WHEREAS, Existing facilities for hospital, intermediate, and nursing home care are wholly inadequate to care for the ever-increasing number of "older veterans" suffering from serious chronic disabilities requiring medical and nursing care; and

WHEREAS, New construction, modernization, additions and improvements at state veterans homes are urgently needed to replace old and obsolete structures and to provide new facilities; and

WHEREAS, House Resolution No. 270, introduced by Congressman B. F. Sisk of California and House Resolution No. 3182, introduced by Congressman Olin E. Teague of Texas, at the request of the National Association of State Veterans Homes, have been introduced in the current session of Congress to assist states, through federal aid subsidies, to finance, in part, capital outlay expense; and

WHEREAS, Financial assistance from the federal government to provide such facilities for the "older veteran" is urgently required in California due to the tremendous number of war veterans residing in the State; and

WHEREAS, This State, alone, cannot finance the cost of providing hospital and nursing home facilities; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation and to appropriate money to provide states with federal aid subsidies to finance, in part, the construction, modernization, additions and improvements of state-operated veterans homes; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Administrator of Veterans Affairs, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 11

Assembly Joint Resolution No. 4—Relating to reduction of pensions of veterans in state veterans' homes.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, House Resolution No. 869, introduced by Congressman Olin E. Teague of Texas, would amend Section 3203 of Title 38, United States Code, to provide that veterans entitled to a pension, who are being maintained in state veterans homes, shall receive reduced pensions at the rate of \$30 per month; and

WHEREAS, Enactment of this legislation would not only reduce pensions to such veterans, but would also seriously affect the operation of state veterans homes which now, or in the future, may charge veterans for care; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of this State respectfully memorializes the President and the Congress of the United States to oppose the adoption of this legislation; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Administrator of Veterans Affairs, and to each Senator and Representative from California in the Congress of the United States

CHAPTER 12*Assembly Joint Resolution No. 5—Relating to federal subsidy for portion of operating costs of state nursing homes for veterans.*

[Filed with Secretary of State April 3, 1962.]

WHEREAS, House Resolution No. 9564, introduced by Congressman Olin E. Teague of Texas, by request, would amend Section 641 of Title 38, United States Code, to provide for the payment of a portion of the cost to the states, operating state veterans homes, of furnishing nursing home care to veterans of any war; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of this State respectfully memorializes the President and the Congress of the United States to enact legislation and appropriate money to provide states with federal aid subsidies for the payment of a portion of the cost of furnishing nursing home care to veterans in state-operated veterans homes; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Administrator of Veterans Affairs, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 13

Assembly Joint Resolution No. 6—Relative to deductions from federal payments to state veterans' homes.

[Filed with Secretary of State April 3, 1962.]

WHEREAS, House Resolution No. 9737 has been introduced at this session of Congress by Congressman Clem Miller of California; and

WHEREAS, This legislation has been introduced to amend Section 641 of Title 38, United States Code, to provide that deductions shall not be made from federal payments to a state veterans home because of amounts collected from the estates of deceased veterans and which are used for recreational and other purposes not required by state laws; and

WHEREAS, The Veterans Administration, by administrative order, effective April 1, 1961, now requires the states to report said collections, and a like amount is deducted from federal aid payments; now, therefore, be it

Resolved by the Assembly and Senate of the State of California jointly, That the Legislature of the State of California respectfully memorialize the Congress of the United States to enact legislation as proposed in House Resolution No. 9737, which provides: "No reduction shall be made under this subsection by reason of the retention or collection by a state home of any amounts from the estate of a deceased veteran if such amounts are placed in a post fund or other special fund and used for the benefit of the state home or its inhabitants in providing—

“(A) Educational, recreational, or entertainment facilities or activities;

“(B) Operation of post exchanges; or

“(C) Other activities or facilities for the benefit of the home or its inhabitants, which are not specifically required by state law, including the cost of any necessary insurance to protect the property of such fund or any of its facilities”; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Administrator of Veterans Affairs, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 14

*Assembly Concurrent Resolution No. 5—Congratulating
the Enterprise-Journal.*

[Filed with Secretary of State April 4, 1962]

WHEREAS, The Enterprise-Journal, a weekly newspaper published by Logan Franklin in South San Francisco, San Mateo County, California, has received national recognition from the Education Writers Association in winning the national award for the best school reporting in the entire United States; and

WHEREAS, The Enterprise-Journal is the only nondaily newspaper in the United States to receive this award; and

WHEREAS, The Best School Reporting Award represents excellence in graphic and varied presentation of education in a weekly newspaper; and

WHEREAS, This well-deserved award is the product of the combined diligence and effort of Publisher Logan Franklin, Editor Vincent Mager, Women's Editor Penny Hamilton, and School District Photographer Dorcus Rosenfeld; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members hereby congratulate and commend the staff of the Enterprise-Journal in winning the Best School Reporting Award in national competition; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Logan Franklin, publisher of the Enterprise-Journal, Mr. Vincent Mager, editor, Penny Hamilton, women's editor, and Miss Dorcus Rosenfeld, school district photographer.

CHAPTER 15

Assembly Concurrent Resolution No. 11—Relative to congratulating Mount St. Joseph's Home for Girls.

[Filed with Secretary of State April 5, 1962]

WHEREAS, The 110th anniversary of the founding of Mount St. Joseph's Home for Girls in San Francisco will be observed in the month of April, 1962; and

WHEREAS, The Daughters of Charity of St. Vincent de Paul have bestowed on thousands of dependent girls in that city their loving care and advice, thereby helping those under their charge to become good citizens of the State of California; and

WHEREAS, It is appropriate, therefore, that the people of this State express their gratitude and congratulations to the

Daughters of Charity of St. Vincent de Paul in San Francisco, and to all who have assisted them in maintaining Mount St. Joseph's Home for Girls; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California expresses its felicitations and appreciation for the noble and unselfish labors of the Daughters of Charity of St. Vincent de Paul in San Francisco, and of all of the sponsors of Mount St. Joseph's Home for Girls, and its wish that the home will remain for many more decades as a blessing to the State of California and the City and County of San Francisco; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Sister Mary Thomas, D.C., Executive Director of Mount St. Joseph's Home for Girls, and to Mr. Nicholas M. Kavanaugh, Chairman, Mount St. Joseph's Home for Girls Advisory Board.

CHAPTER 16

Assembly Joint Resolution No. 2—Relative to pensions for veterans of World War I.

[Filed with Secretary of State April 5, 1962.]

WHEREAS, Congressman Denton has introduced H.R. 3745 which would provide a pension for World War I veterans whose income is under \$2,400 annually, if they are single, and \$3,600 annually, if they have dependents; and

WHEREAS, One of the principal domestic problems in all areas of the nation is the care of the aged, the importance of which is emphasized by the fact that there are now approximately 16,000,000 men and women over the age of 65 years; and

WHEREAS, Of this number, about 2,000,000 are those who served in the armed forces of the United States during the first World War, and whose present circumstances are below the average for the nation, which fact may be traced in part to the service rendered their country during that war; and

WHEREAS, These veterans have not enjoyed the extensive benefits accorded their younger brethren who served during World War II and who were given the opportunity for training at government expense and assistance in securing home and business loans; and

WHEREAS, The government of the United States has not given any general pension to the veterans of World War I; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States is urged to enact H.R. 3745 to alleviate the dire conditions in which those who made the sacrifices for this country, in their youth, now find themselves; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the President of the United States, the President pro Tempore of the Senate, the Speaker of the House of Representatives and each member of the California delegation in the Congress of the United States.

CHAPTER 17

Senate Concurrent Resolution No. 5—Relating to the administration of the provisions of Section 17503 of the Education Code.

[Filed with Secretary of State April 9, 1962.]

WHEREAS, Section 17503 of the Education Code, prescribing certain minimum percentages of current expense of education to be expended by school districts for classroom teachers' salaries during a fiscal year, became operative on July 1, 1961, which time too shortly preceded the deadline date for the preparation and submission of school district budgets to permit the necessary budgeting steps to be taken by many districts to comply with the new requirements; and

WHEREAS, Those school districts which, for these reasons, have failed to comply with the teachers' salaries expenditure requirements of Section 17503 for the 1961-1962 fiscal year must, in budgeting for the 1962-1963 fiscal year make provision not only for the necessary adjustments to bring those expenditures within the requirements, but for the contingency of cut-backs in State School Fund apportionments which may be imposed for the failure to comply with requirements in the 1961-1962 fiscal year, and are thus confronted with a double financial burden arising from the applicability of the provisions of Section 17503; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Superintendent of Public Instruction in administering Section 17503, in any case where the above-stated circumstances exist, and where State School Fund apportionments to a school district are withheld in the 1962-1963 fiscal year and the district governing board has filed application for exemption from the requirements, is requested to grant exemption from the requirements for the 1961-1962 fiscal year on the basis of serious hardship to the district; and be it further

Resolved, That this authorization to the Superintendent of Public Instruction shall not be construed as a declaration by the Legislature that the effect of the provisions of Section 17503 shall in any way otherwise be modified either with respect to required compliance with salary expenditure requirements during the 1962-1963 fiscal year or thereafter, the applicability of the exemption provisions after the 1962-1963 fiscal year, or any other provisions of the section at any time.

CHAPTER 18

Senate Concurrent Resolution No. 9—Relative to naming the James J. McBride Bridge.

[Filed with Secretary of State April 9, 1962.]

WHEREAS, The late Honorable James J. McBride, State Senator from Ventura County, served his community, county and the State of California, with courage, wisdom and great ability for more than 28 years in the State Senate; and

WHEREAS, Senator McBride gave untiringly of his efforts for the improvement of his county and state; and

WHEREAS, There is now being constructed a bridge across the Ventura River at a principal entrance to the City of San Buenaventura as a part of the State Highway 101 freeway system; and

WHEREAS, Since the City of San Buenaventura was the home city of Senator McBride, it is highly fitting that said bridge be named the James J. McBride Bridge; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the bridge being constructed across the Ventura River as a part of the State Highway 101 freeway system at San Buenaventura is officially designated and named the James J. McBride Bridge; and be it further

Resolved, That the Division of Highways in the State Department of Public Works is requested to erect and maintain appropriate signs on this bridge showing this official designation; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Division of Highways in the State Department of Public Works.

CHAPTER 19*Assembly Concurrent Resolution No. 8—Relative to the use of federal fish and game funds.*

[Filed with Secretary of State April 9, 1962]

WHEREAS, Under the Wild Life Restoration Act, also known as the Pittman-Robertson Act, funds collected in the form of excise taxes on the manufacture of firearms, shells, and cartridges are made available to California for wildlife restoration projects; and

WHEREAS, Such funds are to be used for "selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition by purchase, condemnation, lease, or gift of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction

thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects" (16 U.S.C. 669a); and

WHEREAS, Under the Fish Restoration and Management Projects Act, also known as the Dingell-Johnson Fish Restoration Act, funds derived from excise taxes on the manufacturer of fishing rods, creels, and other angling equipment are also made available to California for fish restoration and management projects; and

WHEREAS, Millions of dollars from these two acts have been spent in California over the years on a great variety of projects and studies and additional funds are annually available for further expenditures under these provisions; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Fish and Game is requested to report to the Legislature not later than the fifth legislative day of the 1963 Regular Session on all expenditures of funds which have been made under these federal acts, including all expenditure of state funds in conjunction therewith, particularizing in such report the practical application made or results accomplished by each such expenditure, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Department of Fish and Game.

CHAPTER 20

Assembly Concurrent Resolution No. 7—Relative to Squaw Valley State Park concessions.

[Filed with Secretary of State April 11, 1962.]

WHEREAS, The Joint Legislative Audit Committee has investigated financial operations of Squaw Valley State Park; and

WHEREAS, It has been found that this park cost the State \$902,904 from April 1, 1960 to December 31, 1961; and

WHEREAS, The Squaw Valley State Park operation costs the State approximately \$25,000 a month; and

WHEREAS, Citizens using the park facilities—which are actually controlled by concessionaires—pay the same prices as those using private resorts in the area; and

WHEREAS, The United States Forest Service—which in actuality owns 1,000 acres of the 1,029-acre park—has notified the Senate Factfinding Committee on Natural Resources of its intention to increase land-use fees to the State; and

WHEREAS, There is no provision for renegotiation of the existing long-term contracts between the State and park concessionaires; and

WHEREAS, Said concessionaires are withholding \$64,792 which is owed to the State; and

WHEREAS, In 21 months of operation there has never been an audit of Squaw Valley State Park concessionaires by a responsible state agency, nor has the State received any financial reports of concessionaires' operations certified by independent auditors; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That state agencies concerned take immediate action to implement the following:

1. That present Squaw Valley State Park long-term concession agreements be renegotiated or canceled to obtain new agreements which provide:

- a. Periodic renegotiation,
- b. Separate charges for land-use fees subject to change based upon rates charged by the U.S. Forest Service,
- c. Payments made on the basis of financial statements which are certified by an independent accountant.

2. That amounts past due from present concessionaires be collected.

3. That a comprehensive audit be made of the concessionaires' operations; and be it further

Resolved, That progress made on recommendations above be reported to the Joint Legislative Audit Committee before May 15, 1962; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Director of Finance, the Administrator of the Resources Agency, the Director of Parks and Recreation, and the California Olympic Commission.

CHAPTER 21

Senate Concurrent Resolution No. 4—Relative to scenic highways.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, Senate Concurrent Resolution No. 39 of the 1961 Regular Session (Statutes 1961, Resolution Chapter 129) provided for a report to the Legislature on a plan for scenic highways in California; and

WHEREAS, A report on a preliminary plan, dated March 15, 1962, has been submitted pursuant to that resolution; and

WHEREAS, It has been recommended in that report that the Scenic Highways Citizen's Advisory Committee and the Interdepartmental Co-ordinating Committee on Scenic Highways

created pursuant to the resolution be continued in existence for the purpose of completing the study called for and submitting a final report and recommendations to the Legislature at its 1963 Regular Session (page 44 of Report on a Preliminary Plan for Scenic Highways, dated March 15, 1962); now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the provisions of Senate Concurrent Resolution No. 39 of the 1961 Regular Session are incorporated herein by reference and continued in effect as if adopted at this session, the committees created thereunder are continued in existence, except that the membership of the advisory committee appointed jointly by the Speaker of the Assembly and the Speaker pro Tempore of the Senate shall consist of nine members, and the final report on the subject matter thereof shall be submitted by not later than March 15, 1963.

CHAPTER 22

Senate Concurrent Resolution No. 10—Relative to retirement of Florence G. Clifton.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, The Legislature of the State of California has learned that Mrs. Florence G. Clifton has retired from her position as Chief of the Division of Industrial Welfare of the Department of Industrial Relations; and

WHEREAS, Florence G. Clifton, a native of California and a graduate of the Los Angeles city public schools and the University of California at Los Angeles, has been active in the service of her community and this State for the last 25 years; and

WHEREAS, Her many activities have included, among many others, the post of cochairman of the Urban Redevelopment Committee in 1951, commissioner and vice chairman of the Los Angeles City Housing Authority from 1953 to 1955, and in 1957 chairman of the Los Angeles Committee for Better Schools, and in all of these endeavors she aroused the admiration and respect of those whom she served; and

WHEREAS, In recognition of her ability and her service to the State, she was appointed Chief of the Division of Industrial Welfare of the Department of Industrial Relations in 1959, in which office she has served with honor and distinction and has skillfully dealt with many complex questions involving the health, safety and welfare of women and minors of this State and their wages, hours and working conditions; and

WHEREAS, Mrs. Clifton has not only served her community and our State through her many public offices and activities, but has also been a devoted wife to her husband, Superior

Court Judge Robert Clifton, and a loving mother to their five children, Mrs. Carol Cady of Santa Ana, Mrs. Susan Renfrew of Oxnard, Mr. Robert M. Clifton of Venice and Helen and Thomas Clifton; and

WHEREAS, It is therefore most fitting and proper that on the occasion of her retirement the Members of the Legislature take this opportunity to salute Mrs. Florence G. Clifton; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature commend Mrs. Florence G. Clifton upon her years of service to her community and this State and extend to her their best wishes for her future endeavors; and be it further

Resolved, That the Secretary of the Senate shall transmit a suitably prepared copy of this resolution to Mrs. Florence G. Clifton.

CHAPTER 23

Senate Joint Resolution No. 2—Relative to federal aid for State Highway Route 115.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, State Highway Route 115, from San Jose, in Santa Clara County, to Patterson, in Stanislaus County, via the vicinity of Mount Hamilton, is the only east-west connection between the San Joaquin Valley and the seacoast between the Altamont and Pacheco Pass, a distance of over 50 miles; and

WHEREAS, This route, although a part of the state highway system, has not been accepted for maintenance by the California Department of Public Works, and is presently maintained by both Santa Clara and Stanislaus Counties; and

WHEREAS, This route would be of inestimable value as an avenue of escape should there be a need for dispersal of the citizens concentrated on the heavily populated peninsula below San Francisco in the case of an atomic attack or other disaster; and

WHEREAS, The highway is now designated as the only escape route directly eastward from San Jose in the Civil Defense Operations Plan of the State of California; and

WHEREAS, In addition to its national defense benefits, if improved, the highway could be of great economic and recreational benefit to the coast counties and the northern part of the San Joaquin Valley, in particular, and to the nation generally; and

WHEREAS, Because of the heavy commitments of the State of California in its construction and maintenance of highways, money is not available to substantially improve or reroute this highway in order to provide an adequate connection between

the coast counties and the San Joaquin Valley for the smooth flow of traffic in case of enemy attack or natural disaster; now therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President and Congress of the United States are respectfully memorialized to provide federal funds for the highway between San Jose and Patterson; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative of the State of California in the Congress of the United States.

CHAPTER 24

Senate Joint Resolution No. 3—Relative to aid to students of foreign countries attending colleges and universities in the United States.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, The United States has long been recognized among nations of the world as a promoter of international co-operation, as a supporter of free institutions of higher learning, and as a firm believer in scientific and educational exchange programs; and

WHEREAS, The attendance of students from foreign countries at universities and colleges in this country promotes cultural and educational goodwill and, as such, is an integral part of the federal foreign aid programs and aims; and

WHEREAS, Although the attendance of such students at colleges and universities in this country is promoted by the federal government as part of its foreign relations and foreign aid program, the financial burden of the cost of educating such students falls not on the federal government but on the state governments when the students are attending state institutions of higher learning; and

WHEREAS, California and other states have provided generous reductions in the tuition fees charged such students; and

WHEREAS, The cost of educating such students constitutes a financial burden on the local taxpayers; and

WHEREAS, The encouraging of foreign students to obtain their education in the United States lies within the realm of international diplomacy and is therefore properly the responsibility of the federal government; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide federal funds to subsidize able

foreign students attending state institutions of higher learning in this country; and to provide funds to the states to aid in meeting the expense to the states of educating such students in state institutions of higher education; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 25

Senate Concurrent Resolution No. 12—Relative to Senior Citizens' Month.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, The well-demonstrated greatness of the State of California is due in large measure to the efforts of those people who are now the senior citizens of California; and

WHEREAS, The senior citizen has richly contributed to the welfare and prosperity of the State of California; and

WHEREAS, The blessings of longer life and better health are being made available to our senior citizens while technological progress is making the task of earning a living less toilsome physically and bringing arbitrary retirement to older persons at an age when most of them can and want to continue as productive members of society; and

WHEREAS, Although our senior citizens may be old in years, they possess wisdom and knowledge, gained through the years, which resource they unremittingly contribute to the community; and

WHEREAS, Arbitrary retirement tends to minimize the usefulness of older people to their communities and at the same time make it difficult for them to obtain good housing, adequate nourishment, adequate medical care and necessary recreational and educational opportunities because of sharply limited income; and

WHEREAS, The efforts of science will continue to increase the human life span and accelerate the increase in the number of persons surviving into the later years; and

WHEREAS, The foregoing factors make it necessary that proper planning be done to meet the needs and problems of California's senior citizens; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the month of May, 1962, be designated as Senior Citizens' Month; and be it further

Resolved, That the efforts of the Governor of the State of California to establish May, 1962, as a fittingly observed Senior Citizens' Month be commended; and be it further

Resolved, That the communities of the State of California are urged to stress the importance of the contribution to the welfare and well-being of the entire community, which can be made by the senior citizens; and be it further

Resolved, That the people of California are urged to continue in their worldwide recognized leadership in meeting the needs and problems of the senior citizens and in making their communities places where the senior citizen can live out his years in dignity, self-respect, usefulness, and good citizenship; and be it further

Resolved, That every state department and agency is urged to give all the necessary encouragement and assistance to the communities of the State in marking Senior Citizens' Month with fitting observances; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the Honorable Edmund G. Brown, Governor of the State of California, the Citizens' Advisory Committee on Aging, and to the directors of all state agencies.

CHAPTER 26

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, relating to Members of the Legislature.

[Filed with Secretary of State April 13, 1962]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its 1962 First Extraordinary Session commencing on the seventh day of March 1962, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, to read:

(b) Salaries of Members of the Legislature shall be fixed by law, not to exceed eight hundred thirty-four dollars (\$834) per month for each month of the term for which he is elected.

CHAPTER 27

Assembly Concurrent Resolution No. 4—Relative to traffic conditions on Golden Gate Bridge.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, During rush hours on the Golden Gate Bridge traffic jams invariably result; and

WHEREAS, The 12-year delay in the construction of a new bay crossing has added to this congestion; and

WHEREAS, It is believed that the Golden Gate Bridge could handle the traffic if certain changes were made; and

WHEREAS, The traffic load on the bridge will undoubtedly increase in the future; and

WHEREAS, There is a need for immediate action to alleviate this critical problem; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Division of Highways and the Golden Gate Bridge Highway District are requested to immediately take all necessary steps to widen the northern approach to the Golden Gate Bridge, to straighten out the northern approach to the bridge, and to co-operate with each other in this project; and be it further

Resolved, That the Golden Gate Bridge and Highway District is requested to increase the number of the toll collection facilities on the bridge, and to install directional lane lights to regulate the traffic flow during rush hours; and be it further

Resolved, That the Division of Highways, with the co-operation of the Golden Gate Bridge and Highway District, is requested to finish the widening of the southern approach to the Golden Gate Bridge at the earliest practical time; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Division of Highways in the State Department of Public Works and to the Golden Gate Bridge and Highway District.

CHAPTER 28

Assembly Concurrent Resolution No. 9—Congratulating the Elbeetian Legion on its 25th anniversary reunion.

[Filed with Secretary of State April 13, 1962]

WHEREAS, The Elbeetian Legion was founded in 1927 by Charles J. Merlin of Hudson Heights, New Jersey, as a unique fraternity for the former members of the Lone Scouts of America, to renew the cherished boyhood friendships; and

WHEREAS, The Lone Scouts of America was founded in 1915 by William Dickson Boyce, who published the magazine "Lone Scout" until the organization merged with the Boy Scouts of America in 1924; and

WHEREAS, The Lone Scouts of America was originated to provide for the lonely farm boys and isolated youngsters in the smaller towns of the United States, Canada and Puerto Rico, a medium by which lasting friendships among the rural and isolated boys of these countries could be formed, and by which they could receive experience and training in outdoor living, in woodcraft, in the ways of the American Indians and

in the art of writing through correspondence, contributing, editing, publishing and printing organizational papers; and

WHEREAS, The Elbeetian Legion, which has no officers, no rules and no dues or obligations, and whose sole source of financial aid is voluntary contributions, will celebrate its 25th anniversary in Salinas, Monterey County, California, in August 1962, with a six-day reunion whose theme will be the "Cavalcade of the Golden West"; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members extend their congratulations to the Elbeetian Legion on its silver anniversary and reunion; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution, through the "Sunset News" in San Francisco, California, to the following members of the Elbeetian Legion for their long years of service and for their assistance in staging the Salinas reunion: Charles J. Merlin, Willard C. Loughlin, William D. Hoting, Lloyd Gravatt, James W. McDougall, Raymond "Spud" Lawless, H. Alfred Clover, Elmer Marvin Weese, Joseph G. Zifchock, Maxwell G. Otley, Ralph Salazar, Torkel Gundel, and Lucien W. Emerson.

CHAPTER 29

Assembly Concurrent Resolution No. 15—Relative to amending Rule No. 34 of the Joint Rules of the Senate and Assembly, relating to opinions of the Legislative Counsel.

[Filed with Secretary of State April 13, 1962.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Rule No. 34 of the Joint Rules of the Senate and Assembly is amended to read:

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first-named author analyzing the constitutionality, operation or effect of a bill or other legislative measure which is then pending before the Legislature or which was introduced at any session of the Legislature held within two years next preceding the date of the opinion and was referred to an interim committee for study, or of any amendment made or proposed to be made to such bill or measure, he is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

CHAPTER 30

Assembly Concurrent Resolution No. 19—Relative to atomic energy.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, The Legislature, in the California Atomic Energy Development and Radiation Protection Law enacted in 1959, declared it to be the policy of this State to encourage the constructive development of industries producing or utilizing atomic energy and radiation and to eliminate unnecessary exposure of the public to ionizing radiation; and

WHEREAS, The Legislature, in the Radiation Control Law enacted in 1961, directed the Department of Public Health to establish a regulatory program for the licensing of radioactive materials and to provide by regulation a schedule of fees which shall be just sufficient to cover the costs incurred in that program; and

WHEREAS, A schedule of fees for this purpose was adopted by the State Board of Public Health, after public hearings, on December 8, 1961; and

WHEREAS, This fee schedule becomes effective on September 1, 1962, upon ratification of an agreement between the United States Atomic Energy Commission and the State of California by enactment of Assembly Bill No. 29, 1962 First Extraordinary Session; and

WHEREAS, It has been asserted that the fees established by this schedule would tend to hamper the full development of the uses of radioactive materials; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Director of Public Health is directed to do all of the following:

A. Undertake a study of the program as it relates to costs and fees, including at least all of the following means and goals:

1. Hold public hearings, giving wide notice to those who would be subject to the fees.

2. Consider the minimum program that would adequately assure the public health and safety and meet the requirements of the agreement with the United States Atomic Energy Commission.

3. Estimate the effects of fees on the growth of the radioisotope industry in California.

4. Consider possible alternative means that might be used to fund the program.

B. If a revision of the fee schedule to relieve those who are most seriously affected is found practicable, present to the State Board of Public Health a proposed amendment of the regulation to accomplish this change at the earliest possible date.

C. Present the findings and conclusions of this study, together with essential supporting information, and recommendations for any needed legislative action, to the Assembly Interim Committee on Public Health and the Senate Interim Committee on Governmental Efficiency not later than October 1, 1962; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of Public Health.

CHAPTER 31

Assembly Concurrent Resolution No. 21—Approving certain amendments to the charter of the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on April 10, 1962.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, Proceedings have been duly and regularly taken and had for the adoption and ratification of three amendments, hereinafter set forth, to the charter of the City of Torrance, a municipal corporation, in the County of Los Angeles, State of California, and set out in the certificate of the mayor and deputy city clerk of said city, as follows:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTS
BY THE ELECTORS OF THE CITY OF TORRANCE

State of California }
County of Los Angeles }
City of Torrance } ss.

WE, the undersigned, ALBERT ISEN, Mayor of the City of Torrance, California, and GALE WHITACRE, Deputy City Clerk of said City, DO HEREBY CERTIFY AND DECLARE as follows:

That the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said city certain proposals for the amendment of the Charter of said city at a general municipal election duly and regularly

called and held in said city on the 10th day of April, 1962, said charter amendments being herein designated as Charter Amendment No. 1, Charter Amendment No. 2 and Charter Amendment No. 3.

That on the 22nd day of February, 1962, and on the 1st day of March, 1962, said City Council caused said proposed charter amendments to be duly and regularly published and advertised in each and every edition of said 22nd day of February, 1962, and said 1st day of March, 1962, of the TORRANCE HERALD, the official newspaper of said city and a semi-weekly newspaper of general circulation printed, published and circulated in said city.

That said City Council caused copies of said proposed charter amendments to be printed in convenient pamphlet form and in type of not less than 10-point and caused copies thereof to be mailed to each of the qualified electors of said city.

That said City Council, until the day fixed for the election upon said proposed charter amendments, did advertise in said TORRANCE HERALD, a semi-weekly newspaper of general circulation printed, published and circulated in said city, a notice that copies thereof might be had upon application therefor; that copies of said proposed charter amendments could be had upon application therefor at the office of the City Clerk of said city up to and including the day fixed for said general municipal election.

That said general municipal election was duly and regularly held in said city on the date fixed by said City Council, to wit, April 10, 1962, which date was not less than forty (40) and more than sixty (60) days after completion of the advertising of said proposed charter amendments, that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify Charter Amendment No. 1, Charter Amendment No. 2 and Charter Amendment No. 3, hereinafter specifically set forth.

That all proceedings in connection with the submission of said charter amendments to the electorate, and the election thereon, were taken in accordance with the provisions of Section 8 Article XI of the Constitution of the State of California.

That said amendments to the Charter of said city so ratified by the voters of said city are as follows, to wit:

Charter Amendment No. 1

That the sections of Article XX of the Charter of the City of Torrance hereinafter specified be amended to read as follows:

“Section 2. Airport fund uses.

Moneys in the Airport Fund shall be used only for the following purposes and in the following order of priority, to wit:

(1) For the payment or providing for payment, including payments into any reserve or sinking funds, as the same falls due, of the principal of and interest on any bonds of the City,

issued for the acquisition, construction, improvement or financing of airport facilities or for additions, betterments, extensions or capital improvements thereto.

(2) For the current, necessary and reasonable costs and expenses to the City of operating and maintaining airport facilities owned, controlled or operated by the City, but without allowance for depreciation or obsolescence, or for additions, betterments, extensions or capital improvements thereto.

(3) After paying or providing for all payments under subparagraph (1) above which are due or which will become due during the next ensuing 12 months' period, and after paying or providing for all current costs and expenses under subparagraph (2) above, any balance which remains from time to time in the Airport Fund and the several accounts therein may be used for the purpose of acquiring, constructing or improving airport facilities or for additions, betterments, extensions or capital improvements thereto (including deposits in reserve or depreciation reserves or accounts established for that purpose), and any part of such balance not then needed for such purposes may be used for any lawful purpose.

Section 3. Definition of airport facilities.

As used in this Article XX the term 'airport facilities' means all property of any kind heretofore or hereafter acquired by the City for airport purposes or for the direct or indirect development and promotion of air commerce, air manufacture, air navigation, air transportation, aviation, or for matters incidental to or used in connection with any of the foregoing, and all land (formerly known as 'The Lomita Flight Strip') acquired by the City from the United States of America by quitclaim deed dated March 5, 1948.

Section 4. Article XX not a covenant.

Nothing in this Article XX shall be deemed to be a covenant which shall be enforceable by any holder of any bond of the City."

Charter Amendment No. 2

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

A. Shall Section 1 of Article XI of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Section 1. Board of education.

The control of the public schools of this city shall be vested in the board of education, which shall consist of five members; the qualifications and removal of which shall be as prescribed in this Charter.

Notwithstanding any other provisions of this Charter, the members of the board of education shall be elected at elections called, held and conducted at the same times and in the same manner as elections for members of the governing boards of unified school districts which are not coterminous with and do not include within their boundaries a chartered city, and shall hold office for the terms prescribed by law for members of

governing boards of such unified school districts except that each person elected shall hold office for a term of four years commencing on the first Monday in May next succeeding his election."

B. Shall Section 2 of Article VI of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Section 2 Terms.

The elective officers of the city shall be elected from the city at large and, except members of the board of education, shall hold office for a term of four years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified."

C. Shall the Charter of the City of Torrance be amended by repealing Section 2(b) of Article V thereof, which presently reads as follows:

"Section 2(b). Presiding officer.

On the Tuesday next succeeding any election at which a board member is elected, the board of education shall meet and elect one of its members as the presiding officer to serve at the pleasure of the board."

D. Shall the Charter of the City of Torrance be amended by repealing Section 3 of Article V thereof, which presently reads as follows:

"Section 3. First board of education election.

A special municipal election shall be held for the election of the first members of the board of education under this Charter, on the tenth Tuesday following the approval of this Charter by the legislature."

E. Shall the Charter of the City of Torrance be amended by repealing Section 4 of Article VI thereof, which presently reads as follows:

"Section 4. First election of members of the board of education.

At the special election at which the first members of the board of education are elected, the two members receiving the highest number of votes for said office shall serve from and after the Tuesday next succeeding the day of such election until the second Tuesday in April in 1950, and until their successors are elected and qualified, and the remaining three highest shall serve until the second Tuesday in April, 1948, and until their successors are elected and qualified."

Charter Amendment No. 3

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

Shall Section 1 of Article VII of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Sec. 1. Civil service system.

All appointments and promotions in the classified service of the city shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examina-

tion. The civil service system existing on April 10, 1962, whether created or amended in whole or in part by ordinances adopted by vote of the people or by ordinances adopted by the city council, shall continue in full force and effect; provided, however, that the city council may amend, delete or replace any provisions of said ordinances by ordinance or ordinances passed by a five-sevenths vote of the city council after consideration thereof by the civil service commission. The city council shall not have the authority to withdraw any departments, appointive officers or employees from the operation of such system, either by outright repeal of the civil service ordinances or otherwise, unless and until the withdrawal thereof shall have been submitted to the qualified electors of said city at a regular or special municipal election held in said city. Nothing contained in this section 1 shall repeal or modify any of the provisions of section 5 of article VII of this charter which established the city manager form of government."

That we have compared the amendments as stated herein with the original proposals submitted to the electors of said city, and find and certify that they are full, true and correct copies thereof.

In witness whereof, we have hereunto set our hands and caused the seal of said City of Torrance to be affixed hereto this 12th day of April, 1962.

ALBERT ISEN

Mayor of the City of

Torrance, California

GALE WHITACRE

Deputy City Clerk of the City
of Torrance, California

(SEAL)

and

WHEREAS, Said proposed charter amendments as ratified (being hereinabove set forth) have been and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration and in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the aforementioned three amendments to the charter of the City of Torrance as proposed to, and adopted and ratified by, the qualified electors of said City of Torrance be and the same hereby are approved as a whole, without amendment or alteration, for and as amendments to and as part of the charter of the City of Torrance.

CHAPTER 32

Assembly Joint Resolution No. 11—Relative to pension plans.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, Many business organizations, as an inducement to obtain the services of talented and competent individuals, have adopted pension plans under which the employer contributes certain multiples of the amount contributed by the employee which plans have qualified and been approved by the Internal Revenue Service, with resulting tax benefits to the employer; and

WHEREAS, Among the conditions of qualification is the condition that the pension plans must not be discriminatory; and

WHEREAS, Since the adoption and qualification of their pension plans, many business organizations have merged, or consolidated or been purchased, and as a consequence, many middle-aged employees and executives have been discharged or forced to resign, with resulting loss of hospital, medical and retirement benefits; and

WHEREAS, In many instances such persons have been employed for a considerable length of time and their rights to the contributions of their employers might soon have become vested had it not been for their discharge or forced resignation; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Commissioner of Internal Revenue to closely scrutinize all existing qualified pension plans to ensure that they are not in fact being administered in a discriminatory manner and to develop rules to ensure that under proposed pension plans the rights of the beneficiaries will be protected, to encourage a more equitable distribution, and to impose a full tax liability upon the employer's contributions which are not distributed to the employees and executives with considerable service who have been discharged or forced to resign as a consequence of a merger, consolidation or purchase of the employer; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Commissioner of Internal Revenue.

CHAPTER 33

Senate Concurrent Resolution No. 8—Relative to final adjournment of the 1962 First Extraordinary Session of the Legislature.

[Filed with Secretary of State April 16, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1962 First Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 12 o'clock noon on the 13th day of April, 1962.

CHAPTER 34

Senate Joint Resolution No. 4—Relative to airplane service to Fresno

[Filed with Secretary of State April 16, 1962.]

WHEREAS, There is pending before the Civil Aeronautics Board an application by Trans World Airlines to amend its certificate of public convenience and necessity for Route 2 under Section 401(g) of the Federal Aviation Act of 1958; and

WHEREAS, The result of the approval of this application would be the deletion of the City of Fresno from that route; and

WHEREAS, The route now provides single plane service between Fresno and the Phoenix-Tucson area of Arizona, which service is vitally needed by the citizens of Fresno and others needing transportation on the route; and

WHEREAS, It is the sense of the Legislature of the State of California that the air service referred to is essential to the public convenience and necessity of the people of California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby respectfully memorializes the Civil Aeronautics Board to deny the application of Trans World Airlines referred to in this resolution and identified as Docket No. 5395 et al., Docket No. 13429, and Docket No. 13430; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to each member of the Civil Aeronautics Board.

CHAPTER 35

Senate Joint Resolution No. 5—Relative to establishment of a Youth Conservation Corps.

[Filed with Secretary of State April 16, 1962]

WHEREAS, The Senate and House of Representatives of the United States are now considering legislation to establish a Youth Conservation Corps; and

WHEREAS, Among the most pressing and depressing problems of today are the rise in unemployment, rising relief costs, and increase of juvenile delinquency; and

WHEREAS, It has been established that a Youth Conservation Corps would be a most important resource of combating all of these three undesirable phases of our national life; and

WHEREAS, Such a Youth Conservation Corps could achieve essential public improvements, worth more than the cost entailed; and

WHEREAS, The work most needed to be done generally lies on forest, range, watershed, and recreational lands of public interest; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges Congress to enact legislation as proposed in H.R. 10682, which would authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources of timber, soil, and range, and of recreational areas; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 36

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (b) of Section 2 of Article IV thereof, relating to the compensation of Members of the Legislature.

[Filed with Secretary of State April 13, 1962]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1962 First Extraordinary Session commencing on the seventh day of March, 1962, two-thirds of the members elected to each of the two

houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, to read:

(b) Salaries of Members of the Legislature shall not exceed an amount established by law, and in any event shall not exceed an annual amount equal to one-half of the annual salary of a Member of the Congress of the United States in effect on January 1, 1962. Such salary shall be payable monthly during the term for which the Member of the Legislature is elected.

Notwithstanding any other provision of this Constitution or of law, the amount of any change in the compensation of Members of the Legislature resulting from the amendment to this subdivision as proposed by the Legislature at its 1962 First Extraordinary Session shall not be considered in computing benefits under the Legislators' Retirement System with respect to the service of any person and any benefits payable under that system shall not be decreased or increased as the result of such change in the amount of compensation.

This provision shall become effective January 1, 1963.

CHAPTER 37

Assembly Concurrent Resolution No. 20—Relative to interest losses in connection with the financial operations of state agencies.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, It has been brought to the attention of the Joint Legislative Audit Committee by the Auditor General that the State advances funds to the United States government for services to be performed for the State and that billings to the United States government for services rendered by the State are often deferred for long periods of time. In several cases reported it was estimated that the loss of interest to the State on an annual basis exceeded \$1.5 million; and

WHEREAS, Agreements between agencies of the State of California and other governmental organizations do not usually provide for such advance payments; and

WHEREAS, It appears that the purpose in requiring advance payment of the State's share of cost in connection with any project is to assure that funds to complete the project are available when needed; and

WHEREAS, Such purpose would be adequately served by deposit of advance payments in a trust fund in the State Treasury which would permit interest on the moneys involved to accrue to the State until such time as they must actually be paid out for project costs; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That all state agencies be requested to negotiate with any federal agency to which advance payments are made to provide agreements under which payments are not made in advance of services rendered or prior to the time that the costs to which they relate are incurred; and be it further

Resolved, That such negotiations include the possibility of assuring that the moneys involved will be available when needed by their deposit in advance in a trust fund in the State Treasury rather than by advance payment; and be it further

Resolved, That all state agencies are requested in all cases to bill receivables promptly, and adopt accounting procedures designed to accelerate the collection of federal accounts; and be it further

Resolved, That the Auditor General be requested to call this resolution to the attention of all state agencies whose financial operations are such that advance payments or late billings may result in loss of interest to the State.

STATUTES OF CALIFORNIA

SECOND EXTRAORDINARY SESSION

1962

Began Monday, April 9, 1962, and Adjourned
Friday, April 13, 1962

PROCLAMATION BY THE GOVERNOR
CONVENING THE LEGISLATURE IN SECOND EXTRAORDINARY SESSION

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

. WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session, now, therefore,

I, EDMUND G. BROWN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the ninth day of April, 1962, at 12 o'clock noon of said day for the following purpose and to legislate upon the following subject:

To consider and act upon the Budget Bill for the succeeding fiscal year and revenue acts necessary therefor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixth day of April, 1962.

(SEAL)

EDMUND G. BROWN
Governor of California

[ATTEST] FRANK M. JORDAN
Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1962 SECOND EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 23, 1962. Filed with
Secretary of State April 24, 1962]

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as the "Budget Act of 1962."

SEC. 2. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1962-63 fiscal year beginning July 1, 1962, and ending June 30, 1963. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purposes to the extent only of the amount herein appropriated, unless otherwise stated herein, or authorized pursuant to Section 11006, Government Code.

Appropriations for purposes not otherwise provided for herein which have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby.

LEGISLATIVE

Item	Amount
1—For salaries of Senators-----	240,000
2—For mileage of Lieutenant Governor, Senators and statutory officers of the Senate-----	1,250
3—For expenses of Members of the Senate-----	126,150

Item	Amount
4—For contingent expenses of the Senate, including pay of officers, clerks and all other employees, and legislative committees thereof composed in whole or in part of Members of the Senate -----	1,851,727
to be transferred by the State Controller to the Senate Contingent Fund.	
5—For salaries of Assemblymen -----	480,000
6—For mileage of Assemblymen and statutory officers of the Assembly -----	5,000
7—For expenses of Members of the Assembly ----	252,300
8—For contingent expenses of the Assembly including pay of officers, clerks and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly -----	3,362,375
to be transferred by the State Controller to the Assembly Contingent Fund.	
9—For payment of the State's proportionate share of the expenses of the National Conference of Legislative Leaders -----	1,000
to be transferred by the State Controller in equal amounts to the Senate and Assembly Contingent Funds.	
10—For legislative printing, binding, mailing and other necessary expenses -----	1,500,000
and in addition thereto any amounts received from the sale of legislative publications.	
11—For support of Legislative Counsel Bureau, in accordance with the following schedule ----	624,814
Schedule:	
(a) Salaries and Wages -----	588,784
(b) Operating Expenses and Equipment -----	44,530
Total of schedule -----	633,314
Less estimated reimbursements ---	8,500
Net appropriation -----	624,814
12—For support of California Law Revision Commission, in accordance with the following schedule -----	92,545
Schedule:	
(a) Salaries and Wages -----	55,220
(b) Operating Expenses and Equipment -----	37,325
Total of schedule -----	92,545
13—For support of California Commission on Uniform State Laws -----	5,850

Item	Amount
14—For State's contribution to the Legislators' Retirement Fund in accordance with Section 9358 of the Government Code-----	160,000

JUDICIAL

15—For support of Supreme Court of California-----	877,224
16—For support of Judicial Council-----	343,774
17—For additional support of Judicial Council, to be expended for extra compensation and traveling expenses of judges assigned by the Judicial Council-----	42,000
18—For support of Commission on Judicial Qualifications-----	30,230
19—For support of District Court of Appeal, First Appellate District-----	500,230
20—For support of District Court of Appeal, Second Appellate District-----	652,899
21—For support of District Court of Appeal, Third Appellate District-----	191,201
22—For support of District Court of Appeal, Fourth Appellate District-----	215,404
23—For support of District Court of Appeal, Fifth Appellate District-----	173,315

EXECUTIVE

24—For support of Governor and of Governor's office (exempt from the provisions of Sections 603, 12410 and 13320 of the Government Code)-----	739,830
25—For support of Governor's residence (exempt from the provisions of Sections 603, 12410 and 13320 of the Government Code)-----	17,400
26—For special contingent expenses, Governor's office (exempt from the provisions of Sections 603, 12410 and 13320 of the Government Code)-----	15,000
27—For support of Office of Atomic Energy Development and Radiation Protection, Departmental Co-ordinating Committee on Atomic Energy Development and Radiation Protection and the Advisory Council on Atomic Energy Development and Radiation Protection-----	45,203
28—For support of Office of Consumer Counsel including the expenses of advisory committees appointed under Government Code Section 12057-----	102,544

Item	Amount
29—For support of California Disaster Office, California State Disaster Council and advisory committees, in accordance with the following schedule -----	913,175
and in addition any amounts received from federal grants or other sources shall be available for expenditure in accordance with the provisions of this act.	
Schedule:	
(a) Salaries and Wages -----	1,091,347
(b) Operating Expenses and Equipment -----	832,939
Total of schedule -----	1,924,286
Less estimated reimbursements. ---	1,011,111
Net appropriation -----	913,175
provided, that no positions established with funds available under provisions of Public Law 85-606, shall be continued past the date that such funds cease to be available.	
30—For support of Governor's Advisory Commission on Housing Problems -----	73,920
31—For support of Lieutenant Governor, in accordance with the following schedule -----	100,422
Schedule:	
(a) Salaries and Wages -----	71,635
(b) Operating Expenses and Equipment -----	28,787
Total of schedule -----	100,422
GENERAL ADMINISTRATION	
32—For support of Board of Administration of the State Employees' Retirement System, payable from the State Employees' Retirement Fund, pursuant to Section 20202.5 of the Government Code, in accordance with the following schedule -----	1,329,218
Schedule:	
(a) Salaries and Wages -----	1,365,880
(b) Operating Expenses and Equipment -----	722,439
Total of schedule -----	2,088,319
Less estimated amounts available from other sources:	
(c) Reimbursements -----	538,691

Item	Amount
(d) Amount payable from State Employees' Contingency Reserve Fund (Item 33) -----	220,410
Net appropriation -----	1,329,218
33—For support of Board of Administration of the State Employees' Retirement System, payable from the State Employees' Contingency Reserve Fund, in accordance with the provisions of Section 22840 of the Government Code -----	220,410
34—For support of California Commission on Interstate Co-operation -----	51,905
35—For support of State Personnel Board, in accordance with the following schedule -----	2,927,717
Schedule:	
(a) Salaries and Wages	2,643,838
(b) Operating Expenses and Equipment -----	611,897
Total of schedule -----	3,255,735
Less estimated reimbursements ---	328,018
Net appropriation -----	2,927,717
36—For support of Secretary of State, in accordance with the following schedule -----	443,951
Schedule:	
(a) Salaries and Wages	368,518
(b) Operating Expenses and Equipment -----	82,183
Total of schedule -----	450,701
Less estimated reimbursements ---	6,750
Net appropriation -- -- --	443,951
37—For printing constitutional amendments and other ballot measures, Secretary of State-----	262,500
Notwithstanding other provisions of this section, the appropriation made by this item is available for payment of expenditures incurred during the 1961-62 fiscal year	

AGRICULTURE

38—For support of Department of Agriculture and State Livestock Sanitary Committee, in accordance with the following schedule-----	9,290,590
Schedule:	
(a) Salaries and Wages -----	12,790,974

Item	Amount
(b) Operating Expenses and Equipment -----	4,398,371
Total of schedule -----	17,189,345
Less estimated amounts available from other sources:	
(c) Reimbursements -----	590,739
(d) Amount payable from the Department of Agriculture Fund (Item 40) -----	7,308,016
Net appropriation -----	9,290,590
39—For co-operation with the federal government in marketing research under the provisions of Public Law 733 (79th Congress) and Section 1286 of the Agricultural Code, Department of Agriculture -----	75,000
40—For support of Department of Agriculture, payable from the Department of Agriculture Fund -----	7,308,016
41—For support of Poultry Improvement Com- mission, payable from the Poultry Testing Project Fund, in accordance with the follow- ing schedule -----	188,525
Schedule:	
(a) Salaries and Wages -----	93,131
(b) Operating Expenses and Equipment -----	97,680
Total of schedule -----	190,811
Less estimated reimbursements -----	2,286
Net appropriation -----	188,525
42—For augmentation of the Poultry Testing Project Fund ----- to be transferred by the State Controller to the Poultry Testing Project Fund.	102,822

CORRECTIONS

43—For support of Departmental Administra- tion, Adult Authority, Board of Trustees, California Institution for Women and Board of Corrections, Department of Corrections, in accordance with the following schedule ---	5,163,627
Schedule:	
(a) Salaries and Wages -----	4,210,074

Item	Amount
(b) Operating Expenses and Equipment -----	1,240,701
Total of schedule -----	5,450,775
Less estimated reimbursements ----	287,148
Net appropriation -----	5,163,627
44—For transportation of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Sections 3295 and 3297 of the Health and Safety Code in accordance with the provisions of Section 26749 of the Government Code -----	80,000
45—For expenses of returning fugitives from justice from outside the State in accordance with the provisions of Section 1557 of the Penal Code -----	280,000
46—For court costs and county charges, payable under Sections 4700 and 4700.5 of the Penal Code, in connection with coroners' services and trials of inmates charged with commission of a crime or crimes while incarcerated in a state institution or prison under the Department of Corrections, Department of Corrections -----	40,000
47—For support of Conservation Center, Department of Corrections, in accordance with the following schedule -----	2,862,942
Schedule:	
(a) Salaries and Wages -----	1,632,663
(b) Operating Expenses and Equipment -----	1,286,786
(c) Inmate Pay—Work Projects -----	162,602
Total of schedule -----	3,082,051
Less estimated reimbursements ----	219,109
Net appropriation -----	2,862,942
48—For support of Correctional Training Facility, Department of Corrections, in accordance with the following schedule -----	6,271,355
Schedule:	
(a) Salaries and Wages -----	3,874,364
(b) Operating Expenses and Equipment -----	2,467,821
(c) Inmate Pay—Work Projects -----	105,465
Total of schedule -----	6,447,650

Item	Amount
Less estimated reimbursements.	176,295
Net appropriation	6,271,355
49—For support of Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule	3,785,277
Schedule:	
(a) Salaries and Wages	2,712,369
(b) Operating Expenses and Equipment	1,114,151
(c) Inmate Pay—Work Projects	11,507
Total of schedule	3,838,027
Less estimated reimbursements	52,750
Net appropriation	3,785,277
50—For support of California State Prison at Folsom, Department of Corrections, in ac- cording with the following schedule	3,791,381
Schedule:	
(a) Salaries and Wages	2,453,411
(b) Operating Expenses and Equipment	1,438,547
(c) Inmate Pay—Work Projects	16,970
Total of schedule	3,908,928
Less estimated reimbursements	117,547
Net appropriation	3,791,381
51—For support of California Institution for Men, Department of Corrections, in accord- ance with the following schedule	6,085,224
Schedule:	
(a) Salaries and Wages	4,049,099
(b) Operating Expenses and Equipment	2,359,895
(c) Inmate Pay—Work Projects	131,705
Total of schedule	6,540,699
Less estimated reimbursements	455,475
Net appropriation	6,085,224
52—For support of Medical Facility, Department of Corrections, in accordance with the follow- ing schedule	4,404,632
Schedule:	
(a) Salaries and Wages	3,214,430
(b) Operating Expenses and Equipment	1,252,634

Item	Amount
(c) Inmate Pay—Work Projects	14,775
Total of schedule	4,481,839
Less estimated reimbursements	77,207
Net appropriation	4,404,632
53—For support of California Men's Colony— East Facility, Department of Corrections, in accordance with the following schedule	3,975,236
Schedule:	
(a) Salaries and Wages	2,522,638
(b) Operating Expenses and Equipment	1,742,653
(c) Inmate Pay—Work Projects	20,360
Total of schedule	4,285,651
Less estimated reimbursements	310,415
Net appropriation	3,975,236
54—For support of California Men's Colony— West Facility, Department of Corrections, in accordance with the following schedule	2,235,547
Schedule:	
(a) Salaries and Wages	1,306,689
(b) Operating Expenses and Equipment	947,766
(c) Inmate Pay—Work Projects	28,378
Total of schedule	2,282,833
Less estimated reimbursements	47,286
Net appropriation	2,235,547
55—For support of California Rehabilitation Center, Department of Corrections, in accord- ance with the following schedule	4,046,020
Schedule:	
(a) Salaries and Wages	2,259,364
(b) Operating Expenses and Equipment	1,765,056
(c) Inmate Pay—Work Projects	21,600
Total of schedule	4,046,020
56—For support of California State Prison at San Quentin, Department of Corrections, in accordance with the following schedule	6,793,596
Schedule:	
(a) Salaries and Wages	3,987,137
(b) Operating Expenses and Equipment	3,060,073

Item	Amount
(c) Inmate Pay—Work Projects	181,426
Total of schedule	7,228,636
Less estimated reimbursements	435,040
Net appropriation	6,793,596
57—For support of California Institution for Women, Department of Corrections, in accordance with the following schedule	1,935,589
Schedule:	
(a) Salaries and Wages	1,457,750
(b) Operating Expenses and Equipment	768,947
(c) Inmate Pay—Work Projects	9,252
Total of schedule	2,235,949
Less estimated reimbursements	300,360
Net appropriation	1,935,589
YOUTH AUTHORITY	
58—For support of Departmental Administration, Department of the Youth Authority, in accordance with the following schedule	4,428,607
Schedule:	
(a) Salaries and Wages	3,413,598
(b) Operating Expenses and Equipment	1,093,355
Total of schedule	4,506,953
Less estimated reimbursements	78,346
Net appropriation	4,428,607
59—For deportation of nonresidents committed to Department of the Youth Authority and expenses in connection with the Interstate Compact on Juveniles	39,595
60—For transportation of persons committed to Department of the Youth Authority to or between its facilities, including the return of parole violators	61,000
61—For maintenance of persons committed to Department of the Youth Authority and paroled to the custody of private homes	371,600
62—For support of Northern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule	1,463,797
Schedule:	
(a) Salaries and Wages	1,145,942

Item	Amount
(b) Operating Expenses and Equipment -----	324,055
Total of schedule -----	1,469,997
Less estimated reimbursements ----	6,200
Net appropriation -----	1,463,797
63—For support of Southern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule -----	1,599,040
Schedule:	
(a) Salaries and Wages -----	1,254,767
(b) Operating Expenses and Equipment -----	354,233
Total of schedule -----	1,609,000
Less estimated reimbursements ----	9,960
Net appropriation -----	1,599,040
64—For support of Youth Authority Conservation Camps, Department of the Youth Authority, in accordance with the following schedule -----	881,393
Schedule:	
(a) Salaries and Wages -----	502,963
(b) Operating Expenses and Equipment -----	341,775
(c) Inmate Pay—Work Projects -----	47,335
Total of schedule -----	892,073
Less estimated reimbursements ----	10,680
Net appropriation -----	881,393
65—For support of Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule -----	941,512
Schedule:	
(a) Salaries and Wages -----	711,344
(b) Operating Expenses and Equipment -----	250,423
Total of schedule -----	961,767
Less estimated reimbursements ----	20,255
Net appropriation -----	941,512
66—For support of Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule -----	1,775,343
Schedule:	
(a) Salaries and Wages -----	1,417,005

Item	Amount
(b) Operating Expenses and Equipment -----	367,108
Total of schedule -----	1,784,113
Less estimated reimbursements -----	8,770
Net appropriation -----	1,775,343
67—For support of Northern California Youth Center, Department of the Youth Authority, in accordance with the following schedule ---	23,874
Schedule:	
(a) Salaries and Wages -----	18,034
(b) Operating Expenses and Equipment -----	5,840
Total of schedule -----	23,874
68—For support of Paso Robles School for Boys, Department of the Youth Authority, in accordance with the following schedule -----	1,580,513
Schedule:	
(a) Salaries and Wages -----	1,242,882
(b) Operating Expenses and Equipment -----	345,965
Total of schedule -----	1,588,847
Less estimated reimbursements -----	8,334
Net appropriation -----	1,580,513
69—For support of Preston School of Industry, Department of the Youth Authority, in accordance with the following schedule -----	2,835,691
Schedule:	
(a) Salaries and Wages -----	2,286,744
(b) Operating Expenses and Equipment -----	636,787
Total of schedule -----	2,923,531
Less estimated reimbursements -----	87,840
Net appropriation -----	2,835,691
70—For support of Youth Training School, Department of the Youth Authority, in accordance with the following schedule -----	3,379,427
Schedule:	
(a) Salaries and Wages -----	2,401,172
(b) Operating Expenses and Equipment -----	1,001,040
Total of schedule -----	3,402,212
Less estimated reimbursements -----	22,785
Net appropriation -----	3,379,427

Item	Amount
71—For support of Los Guilucos School for Girls, Department of the Youth Authority, in accordance with the following schedule-----	1,157,395
Schedule:	
(a) Salaries and Wages-----	917,801
(b) Operating Expenses and Equipment-----	249,229
Total of schedule-----	1,167,030
Less estimated reimbursements-----	9,635
Net appropriation-----	1,157,395
72—For support of Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule-----	1,514,718
Schedule:	
(a) Salaries and Wages-----	1,193,319
(b) Operating Expenses and Equipment-----	330,939
Total of schedule-----	1,524,258
Less estimated reimbursements-----	9,540
Net appropriation-----	1,514,718
EDUCATION	
73—For support of Department of Education, Superintendent of Public Instruction and State Board of Education, in accordance with the following schedule-----	2,976,599
Schedule:	
(a) Salaries and Wages-----	3,344,663
(b) Operating Expenses and Equipment-----	1,097,263
Total of schedule-----	4,441,926
Less estimated amounts available from other sources:	
(c) Reimbursements-----	1,372,327
(d) Amount payable from State School Building Aid Fund (Item 74)-----	93,000
Net appropriation-----	2,976,599
74—For support of Department of Education, payable from the State School Building Aid Fund-----	93,000

Item	Amount
75—For co-operation with the federal government for the improvement of instruction under the provisions of Title 3 of the National Defense Education Act of 1958, Department of Education -----	250,477
76—For co-operation with the federal government for the improvement of statistical services under the provisions of Title 10 of the National Defense Education Act of 1958, Department of Education -----	47,200
77—For support of Division of Libraries, Department of Education and Board of Library Examiners, in accordance with the following schedule -----	977,958
Schedule:	
(a) Salaries and Wages -----	751,446
(b) Operating Expenses and Equipment -----	237,036
Total of schedule -----	988,482
Less estimated reimbursements -----	10,524
Net appropriation -----	977,958
78—For support of Los Angeles Center, California Industries for the Blind, in accordance with the following schedule -----	123,444
Schedule:	
(a) Salaries and Wages -----	97,972
(b) Operating Expenses and Equipment -----	25,472
Total of schedule -----	123,444
79—For support of Oakland Center, California Industries for the Blind, in accordance with the following schedule -----	165,114
Schedule:	
(a) Salaries and Wages -----	64,400
(b) Operating Expenses and Equipment -----	100,714
Total of schedule -----	165,114
80—For support of San Diego Center, California Industries for the Blind, in accordance with the following schedule -----	59,412
Schedule:	
(a) Salaries and Wages -----	41,240
(b) Operating Expenses and Equipment -----	18,172
Total of schedule -----	59,412

Item	Amount
81—For support of Orientation Center for the Blind, in accordance with the following schedule -----	228,320
Schedule:	
(a) Salaries and Wages-----	176,588
(b) Operating Expenses and Equipment -----	53,732
Total of schedule-----	230,320
Less estimated reimbursements-----	2,000
Net appropriation -----	228,320
82—For support of California School for the Blind, in accordance with the following schedule -----	624,719
Schedule:	
(a) Salaries and Wages-----	520,617
(b) Operating Expenses and Equipment -----	149,428
Total of schedule-----	670,045
Less estimated reimbursements-----	45,326
Net appropriation -----	624,719
83—For support of School for Cerebral Palsied Children, Northern California, in accordance with the following schedule-----	444,699
Schedule:	
(a) Salaries and Wages-----	395,824
(b) Operating Expenses and Equipment -----	58,725
Total of schedule-----	454,549
Less estimated reimbursements-----	9,850
Net appropriation -----	444,699
84—For support of School for Cerebral Palsied Children, Southern California, in accordance with the following schedule-----	370,273
Schedule:	
(a) Salaries and Wages-----	319,872
(b) Operating Expenses and Equipment -----	53,891
Total of schedule-----	373,763
Less estimated reimbursements-----	3,490
Net appropriation -----	370,273

Item	Amount
85—For support of California School for the Deaf, Berkeley, in accordance with the following schedule -----	1,513,958
Schedule:	
(a) Salaries and Wages -----	1,293,570
(b) Operating Expenses and Equipment -----	276,250
Total of schedule -----	1,569,820
Less estimated reimbursements ---	55,862
Net appropriation -----	1,513,958
86—For support of California School for the Deaf, Riverside, in accordance with the following schedule -----	1,643,966
Schedule:	
(a) Salaries and Wages -----	1,427,222
(b) Operating Expenses and Equipment -----	238,069
Total of schedule -----	1,665,291
Less estimated reimbursements ---	21,325
Net appropriation -----	1,643,966
87—For support of vocational education, Depart- ment of Education, in accordance with the following schedule -----	601,800
Schedule:	
(a) Salaries and Wages -----	859,688
(b) Operating Expenses and Equipment -----	530,733
Total of schedule -----	1,390,421
Less estimated amounts available from other sources:	
(c) Reimbursements -----	69,937
(d) Federal grants -----	718,684
Net appropriation -----	601,800
88—For support of vocational rehabilitation, De- partment of Education, in accordance with the following schedule -----	3,102,529
Schedule:	
(a) Salaries and Wages -----	3,432,580
(b) Operating Expenses and Equipment -----	4,980,964
Total of schedule -----	8,413,544
Less estimated amounts available from other sources:	
(c) Reimbursements -----	23,182

Item	Amount
(d) Federal grants -----	5,287,833
Net appropriation -----	3,102,529
provided, that funds in the project for re- habilitation services to recipients of Old Age and Survivors Insurance are made available for services to the disabled exclusively.	
89—For support of State Teachers' Retirement System, in accordance with the following schedule -----	480,943
Schedule:	
(a) Salaries and Wages -----	381,644
(b) Operating Expenses and Equipment -----	99,299
Total of schedule -----	480,943
HIGHER EDUCATION	
90—For support of Co-ordinating Council for Higher Education, in accordance with the fol- lowing schedule -----	263,396
Schedule:	
(a) Salaries and Wages -----	193,570
(b) Operating Expenses and Equipment -----	69,826
Total of schedule -----	263,396
The amount provided by this item is in addi- tion to any funds received from the federal government by the Co-ordinating Council for Higher Education, as the state agency for preparing and administering a state plan for the construction of academic and related fa- cilities for institutions of higher education.	
91—For payment of the State's share of the oper- ating costs of the Western Interstate Com- mission for Higher Education, Co-ordinating Council for Higher Education -----	10,000
92—For support of University of California, exempt from Section 31 of this act -----	138,805,373
provided, that \$25,000 is for the Office of Con- tinuing Medical Education for curriculum planning and co-ordination.	
93—For research in the conversion of sea water to fresh water, University of California, exempt from Section 31 of this act -----	334,900

Item	Amount
94—For an evaluation study of time and motion studies of farm labor designed to provide the basis for improving the productiveness of farmworkers, University of California, exempt from Section 31 of this act-----	25,000
95—For support of Hastings College of Law, in accordance with the following schedule-----	410,102
Schedule:	
(a) Salaries and Wages-----	472,641
(b) Operating Expenses and Equipment -----	96,481
Total of schedule-----	569,122
Less estimated reimbursements-----	159,020
Net appropriation-----	410,102
96—For support of Trustees of the California State Colleges, in accordance with the following schedule -----	1,034,370
Schedule:	
(a) Salaries and Wages-----	769,275
(b) Operating Expenses and Equipment -----	265,095
Total of schedule-----	1,034,370
97—For student loan funds authorized by Education Code Sections 557 and 559 for the purpose of making part of the payments pursuant to agreements entered into under Title II of the Act of Congress, cited as the National Defense Education Act of 1958, on behalf of the several state colleges. This appropriation is to be allocated by the Trustees of the California State Colleges to the several state colleges -----	200,000
99—For support of State College for Alameda County, in accordance with the following schedule -----	1,477,827
and in addition thereto any amounts collected for fees for parking facilities.	
Schedule:	
(a) Salaries and Wages-----	1,252,801
(b) Operating Expenses and Equipment -----	400,502
Total of schedule-----	1,653,303
Less estimated reimbursements-----	175,476
Net appropriation -----	1,477,827

Item	Amount
100—For support of Chico State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	3,599,266
Schedule:	
(a) Salaries and Wages-----	3,497,025
(b) Operating Expenses and Equipment -----	572,747
Total of schedule-----	4,069,772
Less estimated reimbursements----	470,506
Net appropriation -----	3,599,266
101—For support of Fresno State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	5,736,956
Schedule:	
(a) Salaries and Wages-----	5,977,582
(b) Operating Expenses and Equipment -----	1,057,013
Total of schedule -----	7,034,595
Less estimated reimbursements----	1,297,639
Net appropriation -----	5,736,956
102—For support of Humboldt State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	3,005,555
Schedule:	
(a) Salaries and Wages-----	2,738,756
(b) Operating Expenses and Equipment -----	555,889
Total of schedule-----	3,294,645
Less estimated reimbursements----	289,090
Net appropriation -----	3,005,555
103—For support of Long Beach State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	6,998,414
Schedule:	
(a) Salaries and Wages-----	7,300,831

Item	Amount
(b) Operating Expenses and Equipment -----	1,175,925
Total of schedule -----	8,476,756
Less estimated reimbursements-----	1,478,342
Net appropriation -----	6,998,414
104—For support of Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities.	8,562,700
Schedule:	
(a) Salaries and Wages-----	8,833,774
(b) Operating Expenses and Equipment -----	1,546,482
Total of schedule-----	10,380,256
Less estimated reimbursements-----	1,817,556
Net appropriation -----	8,562,700
105—For support of Orange County State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	1,598,465
Schedule:	
(a) Salaries and Wages-----	1,478,587
(b) Operating Expenses and Equipment -----	348,443
Total of schedule-----	1,827,030
Less estimated reimbursements-----	228,565
Net appropriation -----	1,598,465
106—For support of Sacramento State College, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities.	4,439,658
Schedule:	
(a) Salaries and Wages-----	4,539,692
(b) Operating Expenses and Equipment -----	748,106
Total of schedule-----	5,287,798
Less estimated reimbursements-----	848,140
Net appropriation -----	4,439,658
107—For support of San Bernardino-Riverside State College, in accordance with the follow- ing schedule -----	149,973

Item	Amount
Schedule:	
(a) Salaries and Wages-----	121,573
(b) Operating Expenses and Equipment -----	28,400
Total of schedule-----	149,973
108—For support of San Diego State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	8,550,819
Schedule:	
(a) Salaries and Wages-----	8,724,153
(b) Operating Expenses and Equipment -----	1,415,544
Total of schedule -----	10,139,697
Less estimated reimbursements----	1,588,878
Net appropriation -----	8,550,819
109—For support of San Fernando Valley State College, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities.	5,248,720
Schedule:	
(a) Salaries and Wages-----	5,102,896
(b) Operating Expenses and Equipment -----	998,559
Total of schedule-----	6,101,455
Less estimated reimbursements ---	852,735
Net appropriation -----	5,248,720
110—For support of San Francisco State College, in accordance with the following schedule--- and in addition thereto any amounts collected for fees for parking facilities.	8,645,321
Schedule:	
(a) Salaries and Wages-----	8,954,957
(b) Operating Expenses and Equipment -----	1,536,919
Total of schedule-----	10,491,876
Less estimated reimbursements----	1,846,555
Net appropriation -----	8,645,321
111—For support of San Jose State College, in accordance with the following schedule----- and in addition thereto any amounts collected for fees for parking facilities.	11,529,554
Schedule:	
(a) Salaries and Wages -----	11,827,625

Item	Amount
(b) Operating Expenses and Equipment -----	1,921,900
Total of schedule -----	13,749,525
Less estimated reimbursements ----	2,219,971
Net appropriation -----	11,529,554
112—For support of Sonoma State College, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities.	657,443
Schedule:	
(a) Salaries and Wages -----	523,222
(b) Operating Expenses and Equipment -----	231,358
Total of schedule -----	754,580
Less estimated reimbursements ----	97,137
Net appropriation -----	657,443
113—For support of South Bay State College, in accordance with the following schedule -----	149,973
Schedule:	
(a) Salaries and Wages -----	121,573
(b) Operating Expenses and Equipment -----	28,400
Total of schedule -----	149,973
114—For support of Stanislaus State College, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities.	829,291
Schedule:	
(a) Salaries and Wages -----	649,770
(b) Operating Expenses and Equipment -----	277,735
Total of schedule -----	927,505
Less estimated reimbursements ---	98,214
Net appropriation -----	829,291
115—For support of California State Polytechnic College, in accordance with the following schedule ----- and in addition thereto any amounts collected for fees for parking facilities.	8,531,148
Schedule:	
(a) Salaries and Wages -----	7,984,420

Item	Amount
(b) Operating Expenses and Equipment -----	1,750,337
Total of schedule-----	9,734,757
Less estimated reimbursements----	1,203,609
Net appropriation -----	8,531,148
116—For support of California Maritime Academy, in accordance with the following schedule----	397,982
Schedule:	
(a) Salaries and Wages-----	511,527
(b) Operating Expenses and Equipment -----	222,139
Total of schedule-----	733,666
Less estimated reimbursements----	335,684
Net appropriation -----	397,982
117—For support of the State Scholarship Com- mission, in accordance with the following schedule -----	2,442,277
Schedule:	
(a) Salaries and Wages -----	66,560
(b) Operating Expenses and Equipment -----	2,375,717
Total of schedule-----	2,442,277
FISCAL AFFAIRS	
118—For support of State Board of Control, in ac- cording with the following schedule-----	16,758
Schedule:	
(a) Salaries and Wages-----	14,044
(b) Operating Expenses and Equipment -----	2,714
Total of schedule-----	16,758
119—For support of State Controller, in accord- ance with the following schedule -----	3,782,666
Schedule:	
(a) Salaries and Wages -----	3,430,641
(b) Operating Expenses and Equipment -----	1,564,192
Total of schedule -----	4,994,833
Less estimated amounts available from other sources:	
(c) Reimbursements -----	253,212

Item	Amount
(d) Amount payable from the Motor Vehicle Transportation Tax Fund (Item 120)---	208,729
(e) Amount payable from the Motor Vehicle Fuel Fund (Item 121) -----	574,548
(f) Amount payable from the State School Building Aid Fund (Item 122)-----	175,678
Net appropriation -----	3,782,666
120—For support of State Controller, payable from the Motor Vehicle Transportation Tax Fund	208,729
121—For support of State Controller, payable from the Motor Vehicle Fuel Fund-----	574,548
122—For support of State Controller, payable from the State School Building Aid Fund-----	175,678
123—For support of State Board of Equalization, in accordance with the following schedule----	13,092,408
Schedule:	
(a) Salaries and Wages-----	15,783,156
(b) Operating Expenses and Equipment -----	3,158,252
Total of schedule-----	18,941,408
Less estimated amounts available from other sources:	
(c) Reimbursements -----	4,049,000
(d) Amount payable from the Motor Vehicle Transportation Tax Fund (Item 124) -	925,000
(e) Amount payable from the Motor Vehicle Fuel Fund (Item 125) -----	875,000
Net appropriation -----	13,092,408
124—For support of State Board of Equalization, payable from the Motor Vehicle Transportation Tax Fund-----	925,000
125—For support of State Board of Equalization, payable from the Motor Vehicle Fuel Fund	875,000
126—For support of Department of Finance, in accordance with the following schedule-----	7,914,506
Schedule:	
(a) Salaries and Wages -----	12,120,688
(b) Operating Expenses and Equipment -----	5,317,828
Total of schedule -----	17,438,516

Item	Amount
Less estimated amounts available from other sources:	
(c) Reimbursements -----	8,470,951
(d) Amount payable from Fair and Exposition Fund (Item 127) -----	238,525
(e) Amount payable from the State School Building Aid Fund (Item 128) -----	814,534
Net appropriation -----	7,914,506
provided, that this appropriation shall be available for the purchase of insurance to insure the liability of the State and its officers and employees for damage or injury to persons or property resulting from the dangerous or defective condition of state-owned or state-controlled property under the jurisdiction of the Department of Finance.	
127—For support of Department of Finance, payable from the Fair and Exposition Fund ----	238,525
128—For support of Department of Finance, payable from the State School Building Aid Fund -----	814,534
129—For support of California State Fair and Exposition, Department of Finance, payable from the State Fair Fund -----	2,257,033
130—For augmentation of the State Fair Fund -- to be transferred to the State Fair Fund by the State Controller.	415,127
And in addition, there is appropriated from the General Fund, not to exceed \$250,000, to be made available upon order of the Department of Finance, for temporary loans to the State Fair Fund to meet cash needs.	
131—For support of Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, payable from the Sixth District Agricultural Association Fund -----	566,695
132—For augmentation of the Sixth District Agricultural Association Fund ----- to be transferred to the Sixth District Agricultural Association Fund by the State Controller.	194,550
133—For support of State Lands Division, State Lands Commission, Department of Finance, in accordance with the following schedule---	964,309

Item		Amount
	Schedule:	
	(a) Salaries and Wages.....	820,750
	(b) Operating Expenses and Equipment	221,039
	Total of schedule.....	1,041,789
	Less estimated reimbursements.....	77,480
	Net appropriation	964,309
134—	For support of Franchise Tax Board, in accordance with the following schedule.....	8,389,416
	Schedule:	
	(a) Salaries and Wages.....	7,035,247
	(b) Operating Expenses and Equipment	1,354,169
	Total of schedule	8,389,416
135—	For support of the State Treasurer, in accordance with the following schedule.....	354,825
	Schedule:	
	(a) Salaries and Wages.....	325,870
	(b) Operating Expenses and Equipment	171,980
	Total of schedule	497,850
	Less estimated reimbursements.....	143,025
	Net appropriation	354,825

HIGHWAY PATROL

136—	For support of Department of the California Highway Patrol, payable from the Motor Vehicle Fund, in accordance with the following schedule	32,653,815
	Schedule:	
	(a) Salaries and Wages.....	23,835,581
	(b) Operating Expenses and Equipment	9,171,206
	Total of schedule.....	33,006,787
	Less estimated reimbursements.....	352,972

Net appropriation 32,653,815
provided, that no part of this appropriation shall be expended in payment for services of personnel assigned to enforce the provisions of the ordinances of any city or county; provided further, however, that this restriction shall not limit the authority of members of the California Highway Patrol to enforce any

Item	Amount
city or county ordinance as an incident to their assigned duties with respect to traffic law enforcement; provided further, that no expenditure shall be made from the appropriation made by this item in connection with the activities of the California Highway Patrol Auxiliary.	
136.1—For payment of overtime, to be allocated by the Department of Finance to the Department of the California Highway Patrol, in augmentation of Item 136, in such amount as will make sufficient money available to pay members of the California Highway Patrol in the classification of state traffic sergeant and state traffic officer for overtime working hours of duty performed in addition to those hours spent in the regular duty status, payable from the Motor Vehicle Fund-----	742,000
The purpose of this appropriation is to increase the available manhours for road patrol and to limit any state traffic sergeant or state traffic officer to the expenditure of a maximum of 80 hours of compensatory time off in the fiscal year 1962-63. This shall not be construed as prohibiting the expenditure of compensatory time off earned by these personnel in fiscal year 1961-62.	
These funds shall not be used to pay individuals for overtime in the performance of any of the following duties:	
<ol style="list-style-type: none"> 1. When in travel status. 2. When in a training status. 3. When assigned to desk or office duties. 4. When attending or participating in competitive pistol matches. 5. When participating in monthly pistol qualifications. 6. When attending monthly unit organizational meetings. 7. For time in excess of actual hours worked when in callback status. 	
The above limitations shall not preclude or be construed as preventing the Personnel Board or the Department of the California Highway Patrol imposing any additional limitations which they may deem necessary for the proper administration of payment of overtime.	
137—For salary increases, payable from the Motor Vehicle Fund, to be allocated by the Department of Finance to the Department of the	

Item	Amount
California Highway Patrol, in augmentation of Item 136, in such amount as will make sufficient money available to be paid to each uniformed employee of the Department of the California Highway Patrol a 5 percent salary adjustment in addition to any other similar provisions in this act, and provided that such an increased salary range is established during the 1962-63 fiscal year by the State Personnel Board -----	1,058,857
138—For payment of deficiencies in appropriations for the Department of the California Highway Patrol which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the sum of \$100,000, or so much thereof as may be necessary, payable from the Motor Vehicle Fund; provided, that amounts authorized from this item shall be made for purchase or operation of motor vehicles upon showing that such amounts are in excess of the amounts provided for in the appropriations to be augmented.	

INDUSTRIAL RELATIONS

139—For support of Department of Industrial Relations, in accordance with the following schedule -----	12,359,806
Schedule:	
(a) Salaries and Wages-----	9,831,372
(b) Operating Expenses and Equipment -----	2,695,269
Total of schedule-----	12,526,641
Less estimated reimbursements ---	166,835
Net appropriation -----	12,359,806
providing for offices of the Division of Fair Employment Practices located at San Francisco and Los Angeles.	
140—For support of State Fire Marshal, in accordance with the following schedule -----	476,179
Schedule:	
(a) Salaries and Wages -----	583,856
(b) Operating Expenses and Equipment -----	191,319
Total of schedule -----	775,175

Item	Amount
Less estimated amounts available from other sources:	
(c) Reimbursements	213,926
(d) Amount payable from Dry Cleaners' Fund (Item 141)-	85,070
Net appropriation	476,179
141—For support of State Fire Marshal, payable from the Dry Cleaners' Fund	85,070

JUSTICE

142—For support of Department of Justice, in accordance with the following schedule.....	8,359,384
Schedule:	
(a) Salaries and Wages	6,966,401
(b) Operating Expenses and Equipment	2,215,663
Total of schedule.....	9,182,064
Less estimated reimbursements.....	822,680
Net appropriation	8,359,384

MENTAL HYGIENE

143—For support of Department of Mental Hygiene, in accordance with the following schedule	5,318,478
Schedule:	
(a) Salaries and Wages	4,171,747
(b) Operating Expenses and Equipment	1,552,562
Total of schedule.....	5,724,309
Less estimated amounts available from other sources:	
(c) Reimbursements	68,948
(d) Estimated grants from the federal government or agencies thereof	336,883
Net appropriation	5,318,478
144—For support of the Department of Mental Hygiene and agencies under the jurisdiction of the department, to be transferred to and in augmentation of the support appropriations of the department and its agencies upon order of the Department of Finance in accordance with the following schedule	921,731

Item	Amount
Schedule:	
(a) Department of Mental Hygiene -----	141,810
(b) Outpatient Mental Hygiene Clinics, Department of Mental Hygiene -----	36,331
(c) Agnews State Hospital ----	52,127
(d) Atascadero State Hospital..	10,127
(e) Camarillo State Hospital --	69,572
(f) DeWitt State Hospital.....	90,957
(g) Mendocino State Hospital..	34,059
(h) Metropolitan State Hospital	60,171
(i) Modesto State Hospital.. --	21,308
(j) Napa State Hospital -----	126,252
(k) Patton State Hospital.....	78,986
(l) Stockton State Hospital.....	45,611
(m) Fairview State Hospital....	22,956
(n) Pacific State Hospital.....	49,069
(o) Porterville State Hospital..	27,533
(p) Sonoma State Hospital.....	54,862
Total of schedule.....	921,731
144.1—For support of the Department of Mental Hygiene and agencies under the jurisdiction of the department, to be transferred to and in augmentation of the support appropriations of the department and its agencies upon order of the Department of Finance in accordance with the following schedule -----	945,854
Schedule:	
(a) Department of Mental Hygiene -----	79,866
(b) DeWitt State Hospital ----	111,580
(c) Patton State Hospital.....	176,461
(d) Fairview State Hospital....	120,235
(e) Pacific State Hospital.....	156,822
(f) Porterville State Hospital..	120,206
(g) Sonoma State Hospital.....	180,684
Total of schedule -----	945,854
145—For family care of patients paroled or on leave of absence from state institutions of the Department of Mental Hygiene pursuant to Section 6726 of the Welfare and Institutions Code, Department of Mental Hygiene, to be transferred in augmentation of Item 148----	276,000
146—For transportation of patients and other persons committed to state institutions of the Department of Mental Hygiene, to be expended by the Department of Mental Hygiene, in accordance with the following schedule -----	90,000

Item		Amount
	Schedule:	
	(a) Operating Expenses -----	128,895
	Less estimated reimbursements ---	38,895
	Net appropriation -----	90,000
147—	For expenses of deportation and transfer of patients of the Department of Mental Hygiene, Department of Mental Hygiene, in accordance with the following schedule -----	107,350
	Schedule:	
	(a) Operating Expenses -----	117,350
	Less estimated reimbursements ---	10,000
	Net appropriation -----	107,350
148—	For family care of patients paroled or on leave of absence from state institutions of the Department of Mental Hygiene pursuant to Section 6726 of the Welfare and Institutions Code, Department of Mental Hygiene -----	2,997,000
149—	For care and treatment of mentally retarded persons in private medical facilities, Department of Mental Hygiene -----	250,000
150—	For research projects, Department of Mental Hygiene, to be expended only on allocations to agencies of the Department of Mental Hygiene authorized by the Department of Finance -----	1,107,000
	The appropriation made by this item shall remain available for allocation, reallocation, and expenditure until June 30, 1965.	
	And in addition any amounts received for research projects from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item.	
151—	For support of Day Treatment Centers, Department of Mental Hygiene, to be expended in accordance with the following schedule --- and in addition any amounts received for Day Treatment Centers from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item.	489,988
	Schedule:	
	(a) Salaries and Wages -----	355,988
	(b) Operating Expenses and Equipment -----	134,000
	Total of schedule -----	489,988

Item	Amount
152—For support of Outpatient Mental Hygiene Clinics, Department of Mental Hygiene, in accordance with the following schedule -----	772,138
Schedule:	
(a) Salaries and Wages -----	769,636
(b) Operating Expenses and Equipment -----	136,116
Total of schedule -----	905,752
Less estimated amounts available from other sources:	
(c) Estimated grants from the federal government or agencies thereof -----	133,614
Net appropriation -----	772,138
153—For support of Langley Porter Neuropsychiatric Institute, in accordance with the following schedule -----	2,025,481
Schedule:	
(a) Salaries and Wages -----	1,837,688
(b) Operating Expenses and Equipment -----	258,270
Total of schedule -----	2,095,958
Less estimated reimbursements -----	70,477
Net appropriation -----	2,025,481
154—For support of Neuropsychiatric Institute at University of California at Los Angeles, Department of Mental Hygiene, in accordance with the following schedule -----	3,875,407
Schedule:	
(a) Salaries and Wages -----	2,793,779
(b) Operating Expenses and Equipment -----	1,142,655
Total of schedule -----	3,936,434
Less estimated reimbursements -----	61,027
Net appropriation -----	3,875,407
155—For support of Agnews State Hospital, in accordance with the following schedule -----	10,205,911
Schedule:	
(a) Salaries and Wages -----	8,370,507
(b) Operating Expenses and Equipment -----	1,930,125
Total of schedule -----	10,300,632
Less estimated reimbursements -----	94,721
Net appropriation -----	10,205,911

Item	Amount
156—For support of Atascadero State Hospital, in accordance with the following schedule-----	4,276,617
Schedule:	
(a) Salaries and Wages-----	3,533,567
(b) Operating Expenses and Equipment-----	795,296
Total of schedule-----	4,328,863
Less estimated reimbursements-----	52,246
Net appropriation-----	4,276,617
157—For support of Camarillo State Hospital, in accordance with the following schedule-----	13,409,303
Schedule:	
(a) Salaries and Wages-----	10,919,349
(b) Operating Expenses and Equipment-----	2,723,979
Total of schedule-----	13,643,328
Less estimated reimbursements-----	234,025
Net appropriation-----	13,409,303
158—For support of DeWitt State Hospital, in accordance with the following schedule-----	5,934,301
Schedule:	
(a) Salaries and Wages-----	4,722,138
(b) Operating Expenses and Equipment-----	1,282,321
Total of schedule-----	6,004,459
Less estimated reimbursements-----	70,158
Net appropriation-----	5,934,301
159—For support of Mendocino State Hospital, in accordance with the following schedule-----	5,767,430
Schedule:	
(a) Salaries and Wages-----	4,714,586
(b) Operating Expenses and Equipment-----	1,129,882
Total of schedule-----	5,844,468
Less estimated reimbursements-----	77,038
Net appropriation-----	5,767,430
160—For support of Metropolitan State Hospital, in accordance with the following schedule---	9,076,822
Schedule:	
(a) Salaries and Wages-----	7,277,409
(b) Operating Expenses and Equipment-----	1,924,879
Total of schedule-----	9,202,288

Item	Amount
Less estimated reimbursements-----	125,466
Net appropriation -----	9,076,822
161—For support of Modesto State Hospital, in accordance with the following schedule-----	6,327,977
Schedule:	
(a) Salaries and Wages-----	5,093,004
(b) Operating Expenses and Equipment -----	1,282,845
Total of schedule-----	6,375,849
Less estimated reimbursements-----	47,872
Net appropriation -----	6,327,977
162—For support of Napa State Hospital, in accordance with the following schedule-----	11,754,086
Schedule:	
(a) Salaries and Wages-----	9,633,890
(b) Operating Expenses and Equipment -----	2,260,444
Total of schedule-----	11,894,334
Less estimated reimbursements-----	140,248
Net appropriation -----	11,754,086
163—For support of Patton State Hospital, in accordance with the following schedule-----	11,060,908
Schedule:	
(a) Salaries and Wages-----	8,976,060
(b) Operating Expenses and Equipment -----	2,179,678
Total of schedule-----	11,155,738
Less estimated reimbursements-----	94,830
Net appropriation -----	11,060,908
164—For support of Stockton State Hospital, in accordance with the following schedule-----	9,361,678
Schedule:	
(a) Salaries and Wages-----	7,565,130
(b) Operating Expenses and Equipment -----	1,894,650
Total of schedule-----	9,459,780
Less estimated reimbursements-----	98,102
Net appropriation -----	9,361,678

Item	Amount
165—For support of Fairview State Hospital, in accordance with the following schedule-----	6,296,454
Schedule:	
(a) Salaries and Wages-----	5,255,452
(b) Operating Expenses and Equipment -----	1,089,334
Total of schedule-----	6,344,786
Less estimated reimbursements-----	48,332
Net appropriation -----	6,296,454
166—For support of Pacific State Hospital, in accordance with the following schedule-----	8,560,331
Schedule:	
(a) Salaries and Wages-----	7,063,816
(b) Operating Expenses and Equipment -----	1,634,613
Total of schedule -----	8,698,429
Less estimated reimbursements-----	138,098
Net appropriation -----	8,560,331
167—For support of Porterville State Hospital, in accordance with the following schedule-----	6,989,658
Schedule:	
(a) Salaries and Wages-----	5,722,572
(b) Operating Expenses and Equipment -----	1,322,136
Total of Schedule-----	7,044,708
Less estimated reimbursements-----	55,050
Net appropriation -----	6,989,658
168—For support of Sonoma State Hospital, in accordance with the following schedule-----	10,069,736
Schedule:	
(a) Salaries and Wages-----	8,358,825
(b) Operating Expenses and Equipment -----	1,837,155
Total of schedule-----	10,195,980
Less estimated reimbursements-----	126,244
Net appropriation -----	10,069,736

MILITARY AFFAIRS

169—For support of Military Department, in accordance with the following schedule -----	2,707,734
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Item	Amount
Schedule:	
(a) Salaries and Wages-----	2,076,736
(b) Operating Expenses and Equipment -----	1,105,819
	<hr/>
Total of schedule -----	3,182,555
Less estimated reimbursements----	474,821
	<hr/>
Net appropriation -----	2,707,734
provided, that no expenditures shall be made from this appropriation as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, which in the absence of such expenditure, or of this appropriation, would be available to the Adjutant General, the California National Guard or the California National Guard Reserve from the federal government.	
170—For payment of military retirements in accordance with the provisions of Sections 228 and 256, Military and Veterans Code, Military Department -----	26,220

MOTOR VEHICLES

171—For support of Department of Motor Vehicles, payable from the Motor Vehicle Fund, in accordance with the following schedule---	26,826,632
Schedule:	
(a) Salaries and Wages-----	25,284,214
(b) Operating Expenses and Equipment -----	7,647,128
	<hr/>
Total of schedule-----	32,931,342
Less estimated amounts available from other sources:	
(c) Reimbursements -----	1,185,160
(d) Amount payable from Motor Vehicle License Fee Fund (Item 172) -----	4,901,550
(e) Amount payable from General Fund (Item 173)-----	18,000
	<hr/>
Net appropriation -----	26,826,632
172—For support, Department of Motor Vehicles, payable from the Motor Vehicle License Fee Fund -----	4,901,550
to be transferred to the Motor Vehicle Fund in augmentation of Item 171, as provided by Section 11003 of the Revenue and Taxation Code.	

Item	Amount
173—For support, Department of Motor Vehicles— to be transferred to the Motor Vehicle Fund in augmentation of Item 171 in the amounts ordered by the Department of Finance.	18,000
174—For payment of deficiencies in appropriations for the Department of Motor Vehicles which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the sum of \$350,000, or so much thereof as may be necessary, payable from the Motor Vehicle Fund.	

NATURAL RESOURCES

175—For support of Department of Conservation, and in addition thereto any amounts received from sale of mineral information service, and an amount equal to that received under Sec- tion 2210 of the Public Resources Code from the sale of publications issued by the Division of Mines and Geology, in accordance with the following schedule -----	21,118,611
Schedule:	
(a) Salaries and Wages -----	19,449,066
(b) Operating Expenses and Equipment -----	6,899,403
Total of schedule -----	26,348,469
Less estimated amounts available from other sources:	
(c) Estimated reimbursements -----	4,371,904
(d) Amount payable from Petro- leum and Gas Fund (Item 176) -----	771,372
(e) Amount payable from Sub- sidence Abatement Fund (Item 177) -----	86,582
Net appropriation -----	21,118,611
176—For support of Department of Conservation, in carrying out the functions of the Division of Oil and Gas, payable from the Petroleum and Gas Fund -----	771,372
177—For support of Department of Conservation, in carrying out the functions of the Division of Oil and Gas, payable from the Subsidence Abatement Fund -----	86,582
178—For allotment pursuant to Section 4006 of the Public Resources Code for the prevention and suppression of forest fires on state responsi-	

Item	Amount
bility lands within the counties shown below, Department of Conservation, in accordance with the following schedule.....	1,378,904
Schedule:	
(a) Kern County	376,159
(b) Los Angeles County	512,839
(c) Marin County	119,244
(d) Santa Barbara County	182,234
(e) Ventura County	188,428
Total of schedule.....	1,378,904
179—For direct allotment to the United States For- est Service, for prevention and suppression of forest fires on private and state-owned lands located within and adjacent to the boundaries of United States National Forests within this State, Department of Conservation	1,178,249
180—For white pine blister rust control on state and private lands, Department of Conserva- tion; provided, that any amount expended from this item for the control of white pine blister rust on private lands must be matched by an expenditure of an equal amount from sources other than the appropriation made by this item. Control to be effected in accordance with Sections 4451 through 4459 of the Public Resources Code, and may be pursuant to an agreement which may provide for the advance of the State's contribution or any part there- of to the federal government	80,000
181—For emergency fire suppression and detec- tion, and for the purposes provided by Sec- tion 4006.5 of the Public Resources Code, Department of Conservation, which may be transferred to Item 175 upon executive order of the Department of Finance	320,000
182—For forest insect control, Department of Con- servation, to be expended in accordance with Sections 4451 through 4459 of the Public Re- sources Code	20,000
183—For wild land vegetation and soil mapping project in co-operation with the California Forest and Range Experiment Station of the United States Department of Agriculture and the University of California, Department of Conservation	110,581
184—For watershed research at the San Dimas Ex- perimental Forest in co-operation with the California Forest and Range Experiment Sta- tion of the United States Department of Agri- culture, Department of Conservation	23,472

Item	Amount
185—For forest and fire research, Department of Conservation -----	164,764
186—For geological exploration in co-operation with United States Geological Survey, Department of Conservation ----- provided, that any amount withdrawn from this item must be matched by an expenditure of a like amount by the federal government in this State for this purpose.	30,000
187—For publication of portions of a state geologic map, Department of Conservation, and in addition any amounts received from sale of state geologic maps, in accordance with the following schedule ----- Schedule:	15,754
(a) Operating Expenses -----	37,564
Less estimated reimbursements ---	21,810
Net appropriation -----	15,754
188—For support of Department of Fish and Game, and for the maintenance and construction of fish screens and other stream improvements, payable from moneys in the Fish and Game Preservation Fund including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item. The appropriation made by this item shall be expended in accordance with the following schedule ----- Schedule:	9,316,759
(a) Salaries and Wages -----	5,991,666
(b) Operating Expenses and Equipment -----	3,998,738
Total of schedule -----	9,990,404
Less estimated reimbursements ---	673,645
Net appropriation -----	9,316,759
189—To pay the State's share of co-operation with the federal government in the purchase of land for game production, improvement of waterfowl areas and research in game management under the provisions of the Pittman-Robertson Act, and in fish restoration and management projects under the provisions of the Dingell-Johnson Act, and to make advances to meet the federal share, Department of Fish and Game, payable from moneys in the Fish and Game Preservation Fund in-	

Item	Amount
cluding revenue subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item, in accordance with the following schedule-----	295,515
Schedule:	
(a) Pittman-Robertson Act-----	800,972
(b) Dingell-Johnson Act-----	424,468
Total of schedule-----	1,225,440
Less estimated reimbursements from federal government:	
(c) Pittman-Robertson Act ----	608,025
(d) Dingell-Johnson Act -----	321,900
Net appropriation-----	295,515
190—For State's share of the expenses of the Pacific Marine Fisheries Commission, in accordance with the Pacific Marine Fisheries Compact, Department of Fish and Game, payable from moneys in the Fish and Game Preservation Fund, including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item -----	26,600
191—For support, to be expended only for the replacement of heavy equipment at Darrah Springs Hatchery, Department of Fish and Game, payable from the Fish and Game Preservation Fund-----	60,000
192—For research in the development of commercial fisheries of the Pacific Ocean and of marine products, Marine Research Committee, payable from the Fish and Game Preservation Fund from revenues derived under the provisions of Section 8046 of the Fish and Game Code -----	92,201
193—For support of Department of Parks and Recreation, and in addition thereto any amounts received from fees, rentals and other returns for the use of any state park area in accordance with the following schedule-----	6,871,519
Schedule:	
(a) Salaries and Wages-----	7,286,450
(b) Operating Expenses and Equipment -----	2,848,430
Total of schedule-----	10,134,880

Item	Amount
Less estimated amounts available from other sources:	
(c) Reimbursements	2,891,618
(d) Amount payable from Small Craft Harbor Revolving Fund (Item 194) ..	371,743
Net appropriation	6,871,519
194—For support of Department of Parks and Recreation in carrying out the functions of the Division of Small Craft Harbors, payable from the Small Craft Harbor Revolving Fund	371,743

PUBLIC HEALTH

195—For support of Department of Public Health, in accordance with the following schedule— Schedule:	8,100,909
(a) Salaries and Wages	7,645,416
(b) Operating Expenses and Equipment	2,889,408
Total of schedule	10,534,824
Less estimated amounts available from other sources:	
(c) Reimbursements	377,434
(d) Estimated grants from the federal government or agencies thereof	2,056,481
Net appropriation	8,100,909
196—For support of Department of Public Health for establishing a demonstration project for hospital care for alcoholics and arrangement of posthospital care	25,000
197—For support of Department of Public Health for establishing a community alcoholism clinic at Long Beach	50,000
198—For support of Department of Public Health for establishing a demonstration recovery home for homeless alcoholics	20,000
199—For support of Department of Public Health for establishing a detoxification center for acutely intoxicated alcoholics	43,000
200—For support of Department of Public Health for the study of an epilepsy program pursuant to Chapter 2033, Statutes of 1959	54,950
201—For support, Department of Public Health .. to be transferred to and in augmentation of Item 195, in the amounts ordered by the Department of Finance.	547,827

Item	Amount
202—For support of Motor Vehicle Pollution Control Board, Department of Public Health, in accordance with the following schedule-----	417,049
Schedule:	
(a) Salaries and Wages-----	104,871
(b) Operating Expenses and Equipment -----	312,178
	<hr/>
Total of schedule-----	417,049

PUBLIC WORKS

203—For support of Division of Aeronautics, Department of Public Works, in accordance with the following schedule -----	120,869
Schedule:	
(a) Salaries and Wages-----	66,455
(b) Operating Expenses and Equipment -----	57,414
	<hr/>
Total of schedule-----	123,869
Less estimated reimbursements-----	3,000
	<hr/>
Net appropriation -----	120,869
204—For expenditure by the Division of Architecture, Department of Public Works, payable from the Division of Architecture Revolving Fund, for the purposes specified in Section 14030 of the Government Code, in accordance with the following schedule-----	8,377,220
Schedule:	
(a) Salaries and Wages-----	7,711,138
(b) Operating Expenses and Equipment -----	1,019,745
	<hr/>
Total of schedule-----	8,730,883
Less estimated reimbursements-----	353,663
	<hr/>
Net appropriation -----	8,377,220
provided, that any balances in the Division of Architecture Revolving Fund continue to be appropriated by and subject to Section 14030 of the Government Code, and are available for construction and for augmentation of this appropriation.	
205—For support of Division of Architecture, Department of Public Works, payable from the Division of Architecture Public Building Fund, in accordance with the following schedule -----	1,277,115

Item	Amount
Schedule:	
(a) Salaries and Wages.....	964,664
(b) Operating Expenses and Equipment	312,451
Total of schedule.....	1,277,115
206—For support of State Building Standards Commission, Division of Architecture, De- partment of Public Works, in accordance with the following schedule.....	56,998
Schedule:	
(a) Salaries and Wages.....	44,923
(b) Operating Expenses and Equipment	12,075
Total of schedule.....	56,998
207—For support of Colorado River Boundary Commission	24,155

REGULATION AND LICENSING

208—For support of Department of Alcoholic Beverage Control, in accordance with the fol- lowing schedule	3,593,857
Schedule:	
(a) Salaries and Wages.....	2,780,968
(b) Operating Expenses and Equipment	814,389
Total of schedule.....	3,595,357
Less estimated reimbursements....	1,500
Net appropriation	3,593,857
209—For support of Alcoholic Beverage Control Appeals Board, in accordance with the fol- lowing schedule	103,405
Schedule:	
(a) Salaries and Wages.....	83,520
(b) Operating Expenses and Equipment	19,885
Total of schedule.....	103,405
210—For support of California Districts Securi- ties Commission, in accordance with the fol- lowing schedule	64,974
Schedule:	
(a) Salaries and Wages.....	62,064
(b) Operating Expenses and Equipment	14,502
Total of schedule.....	76,566

Item	Amount
Less estimated reimbursements for services to districts and other agen- cies -----	11,592
Net appropriation -----	64,974
211—For support of California Horse Racing Board, payable from the Fair and Exposition Fund, in accordance with the following schedule -----	194,059
Schedule:	
(a) Salaries and Wages -----	121,079
(b) Operating Expenses and Equipment -----	72,980
Total of schedule -----	194,059
212—For support of State Banking Department, Department of Investment, payable from the State Banking Fund, in accordance with the following schedule -----	755,170
Schedule:	
(a) Salaries and Wages -----	589,126
(b) Operating Expenses and Equipment -----	166,044
Total of schedule -----	755,170
213—For support of Division of Corporations, Department of Investment, in accordance with the following schedule -----	2,495,431
Schedule:	
(a) Salaries and Wages -----	2,618,950
(b) Operating Expenses and Equipment -----	506,231
Total of schedule -----	3,125,181
Less estimated reimbursements -----	629,750
Net appropriation -----	2,495,431
214—For support of Department of Insurance, payable from the Insurance Fund, in accord- ance with the following schedule -----	2,279,130
Schedule:	
(a) Salaries and Wages -----	1,831,793
(b) Operating Expenses and Equipment -----	478,367
Total of schedule -----	2,310,160
Less estimated reimbursements -----	31,030
Net appropriation -----	2,279,130

Item	Amount
215—For support of Division of Real Estate, Department of Investment, payable from the Real Estate Fund, in accordance with the following schedule -----	1,971,392
Schedule:	
(a) Salaries and Wages -----	1,448,067
(b) Operating Expenses and Equipment -----	897,764
Total of schedule -----	2,345,831
Less estimated amount available from other sources:	
(c) Amount payable from the Real Estate Education and Research Fund (Item 216) -----	374,439
Net appropriation -----	1,971,392
216—For educational and research needs of the real estate industry in California, payable from the Real Estate Education and Research Fund -----	634,439
to be allocated by the Department of Finance in amounts as it finds necessary to the University of California exempt from Section 31 of this act and to the Division of Real Estate, Department of Investment, to carry out the provisions of Section 10451.5 of the Business and Professions Code.	
217—For support of Division of Savings and Loan, Department of Investment, payable from the Savings and Loan Inspection Fund, in accordance with the following schedule -----	1,154,473
Schedule:	
(a) Salaries and Wages -----	838,570
(b) Operating Expenses and Equipment -----	316,403
Total of schedule -----	1,154,973
Less estimated reimbursements -----	500
Net appropriation -----	1,154,473
218—For support of Board of Osteopathic Examiners of the State of California, payable from the Contingent Fund of the Board of Osteopathic Examiners, in accordance with the following schedule -----	70,156

Item	Amount
Schedule:	
(a) Salaries and Wages-----	42,949
(b) Operating Expenses and Equipment -----	27,207
Total of schedule-----	70,156
219—For support of Board of Pilot Commissioners for the Harbor of San Diego-----	1,435
220—For support of Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, payable from the Board of Pilot Commissioners' Special Fund, in accordance with the following schedule -----	28,045
Schedule:	
(a) Salaries and Wages-----	17,221
(b) Operating Expenses and Equipment -----	10,824
Total of schedule-----	28,045
221—For support of State Board of Accountancy, payable from the Accountancy Fund, in ac- cordance with the following schedule -----	291,841
Schedule:	
(a) Salaries and Wages-----	74,723
(b) Operating Expenses and Equipment -----	217,118
Total of schedule-----	291,841
222—For support of California State Board of Architectural Examiners, payable from the California State Board of Architectural Ex- aminers' Fund, in accordance with the follow- ing schedule -----	95,987
Schedule:	
(a) Salaries and Wages-----	55,490
(b) Operating Expenses and Equipment -----	40,497
Total of schedule-----	95,987
223—For support of State Athletic Commission, in accordance with the following schedule ---	178,946
Schedule:	
(a) Salaries and Wages-----	114,941
(b) Operating Expenses and Equipment -----	64,005
Total of schedule-----	178,946
224—For support of State Board of Barber Exam- iners, payable from the State Board of Barber Examiners' Fund, in accordance with the fol- lowing schedule -----	211,037

Item	Amount
Schedule:	
(a) Salaries and Wages.....	60,454
(b) Operating Expenses and Equipment	150,583
Total of schedule.....	211,037
225—For support of Cemetery Board, payable from the Cemetery Fund, in accordance with the following schedule	59,500
Schedule:	
(a) Salaries and Wages.....	30,807
(b) Operating Expenses and Equipment	28,693
Total of schedule.....	59,500
226—For support of Board of Chiropractic Exam- iners, payable from the State Board of Chiro- practic Examiners' Fund, in accordance with the following schedule	98,832
Schedule:	
(a) Salaries and Wages.....	33,275
(b) Operating Expenses and Equipment	65,557
Total of schedule.....	98,832
227—For support of State Board of Registration for Civil and Professional Engineers, payable from the Professional Engineers' Fund, in accordance with the following schedule	356,158
Schedule:	
(a) Salaries and Wages.....	215,494
(b) Operating Expenses and Equipment	140,664
Total of schedule.....	356,158
228—For support of Collection Agency Licensing Bureau, Department of Professional and Vo- cational Standards, payable from the Collec- tion Agency Fund, in accordance with the following schedule	194,491
Schedule:	
(a) Salaries and Wages	87,053
(b) Operating Expenses and Equipment	107,438
Total of schedule	194,491
229—For support of Contractors' State License Board, payable from the Contractors' License Fund, in accordance with the following sched- ule	1,409,233

Item	Amount
Schedule:	
(a) Salaries and Wages-----	796,317
(b) Operating Expenses and Equipment -----	612,916
Total of schedule-----	1,409,233
230—For support of State Board of Cosmetology, payable from the Board of Cosmetology's Contingent Fund, in accordance with the following schedule -----	447,915
Schedule:	
(a) Salaries and Wages-----	133,684
(b) Operating Expenses and Equipment -----	314,231
Total of schedule-----	447,915
231—For support of Board of Dental Examiners of California, payable from the State Dentistry Fund, in accordance with the following schedule -----	148,366
Schedule:	
(a) Salaries and Wages -----	91,555
(b) Operating Expenses and Equipment -----	56,811
Total of schedule-----	148,366
232—For support of State Board of Dry Cleaners, payable from the Dry Cleaners' Fund, in accordance with the following schedule -----	280,989
Schedule:	
(a) Salaries and Wages -----	77,842
(b) Operating Expenses and Equipment -----	203,147
Total of schedule-----	280,989
233—For support of State Board of Funeral Direc- tors and Embalmers, payable from the State Funeral Directors and Embalmers' Fund, in accordance with the following schedule -----	72,781
Schedule:	
(a) Salaries and Wages-----	40,279
(b) Operating Expenses and Equipment -----	32,502
Total of schedule -----	72,781
234—For support of Bureau of Furniture and Bed- ding Inspection, Department of Professional and Vocational Standards, payable from the Bureau of Furniture and Bedding Inspec- tion Fund, in accordance with the following schedule -----	456,316

Item	Amount
Schedule:	
(a) Salaries and Wages.....	103,865
(b) Operating Expenses and Equipment	358,544
Total of schedule.....	462,409
Less estimated reimbursements.....	6,093
Net appropriation	456,316
235—For support of State Board of Guide Dogs for the Blind	2,605
236—For support of California State Board of Landscape Architects, payable from the State Board of Landscape Architects' Fund, in ac- cordance with the following schedule.....	27,869
Schedule:	
(a) Salaries and Wages.....	8,439
(b) Operating Expenses and Equipment	19,430
Total of schedule.....	27,869
237—For support of Board of Medical Examiners of the State of California, payable from the Contingent Fund of the Board of Medical Examiners, in accordance with the following schedule	562,577
Schedule:	
(a) Salaries and Wages.....	144,563
(b) Operating Expenses and Equipment	418,014
Total of schedule.....	562,577
238—For support of the Board of Medical Exam- iners of the State of California, payable from the Contingent Fund of the Board of Medical Examiners from those moneys deposited un- der the provisions of Section 2614 of the Busi- ness and Professions Code, in accordance with the following schedule.....	16,830
Schedule:	
(a) Salaries and Wages.....	4,582
(b) Operating Expenses and Equipment	12,248
Total of schedule.....	16,830
239—For support of Board of Medical Examiners of the State of California, payable from the Physical Therapy Fund, in accordance with the following schedule.....	14,764

Item		Amount
	Schedule:	
	(a) Salaries and Wages-----	4,209
	(b) Operating Expenses and Equipment -----	10,555
	Total of schedule-----	14,764
240—	For support of California Board of Nursing Education and Nurse Registration, payable from the California Board of Nursing Educa- tion and Nurse Registration Fund, in accord- ance with the following schedule-----	422,651
	Schedule:	
	(a) Salaries and Wages-----	178,722
	(b) Operating Expenses and Equipment -----	243,929
	Total of schedule-----	422,651
241—	For support of State Board of Optometry, payable from the State Optometry Fund, in accordance with the following schedule---	57,876
	Schedule:	
	(a) Salaries and Wages-----	23,143
	(b) Operating Expenses and Equipment -----	34,733
	Total of schedule -----	57,876
242—	For support of California State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund, in accordance with the following schedule -----	375,618
	Schedule:	
	(a) Salaries and Wages-----	194,905
	(b) Operating Expenses and Equipment -----	182,945
	Total of schedule-----	377,850
	Less estimated reimbursements----	2,232
	Net appropriation -----	375,618
243—	For support of Bureau of Private Investi- gators and Adjusters, Department of Profes- sional and Vocational Standards, payable from the Private Investigator and Adjuster Fund, in accordance with the following schedule -----	125,070
	Schedule:	
	(a) Salaries and Wages-----	33,377
	(b) Operating Expenses and Equipment -----	98,837
	Total of schedule-----	132,214

Item	Amount
Less estimated reimbursements_____	7,144
Net appropriation _____	125,070
244—For support of Certified Shorthand Reporters Board, payable from the Shorthand Reporters' Fund, in accordance with the following schedule _____	27,786
Schedule:	
(a) Salaries and Wages_____	4,967
(b) Operating Expenses and Equipment _____	22,819
Total of schedule_____	27,786
245—For support of Board of Social Work Examiners of the State of California, payable from the Registered Social Workers' Fund, in accordance with the following schedule_____	30,076
Schedule:	
(a) Salaries and Wages_____	18,168
(b) Operating Expenses and Equipment _____	11,908
Total of schedule_____	30,076
246—For support of Structural Pest Control Board, payable from the Structural Pest Control Fund, in accordance with the following schedule _____	265,395
Schedule:	
(a) Salaries and Wages_____	83,203
(b) Operating Expenses and Equipment _____	182,192
Total of schedule_____	265,395
247—For support of Board of Examiners in Veterinary Medicine, payable from the Board of Veterinary Examiners' Contingent Fund, in accordance with the following schedule_____	34,740
Schedule:	
(a) Salaries and Wages_____	4,932
(b) Operating Expenses and Equipment _____	31,680
Total of schedule_____	36,612
Less estimated reimbursements_____	1,872
Net appropriation _____	34,740
248—For support of the Board of Vocational Nurse Examiners of the State of California, payable from the Vocational Nurse Examiners' Fund, in accordance with the following schedule_____	97,157

Item		Amount
	Schedule:	
	(a) Salaries and Wages.....	47,068
	(b) Operating Expenses and Equipment	55,555
	Total of schedule.....	102,623
	Less estimated reimbursements.....	5,466
	Net appropriation	97,157
249—	For support of the Board of Vocational Nurse Examiners of the State of California, payable from the Vocational Nurse Examiners' Fund from those moneys deposited under the provisions of Section 4547 of the Business and Professions Code, in accordance with the fol- lowing schedule	40,631
	Schedule:	
	(a) Salaries and Wages.....	19,006
	(b) Operating Expenses and Equipment	31,744
	Total of schedule.....	50,750
	Less estimated reimbursements.....	10,119
	Net appropriation	40,631
250—	For support of Yacht and Ship Brokers Com- mission, payable from the Yacht and Ship Brokers' Fund, in accordance with the follow- ing schedule	21,529
	Schedule:	
	(a) Salaries and Wages.....	18,838
	(b) Operating Expenses and Equipment	12,700
	Total of schedule.....	31,538
	Less estimated reimbursements.....	10,009
	Net appropriation.....	21,529
251—	For support of Public Utilities Commission of the State of California, in accordance with the following schedule	3,545,612
	Schedule:	
	(a) Salaries and Wages.....	5,327,192
	(b) Operating Expenses and Equipment	1,250,619
	Total of schedule.....	6,577,811
	Less estimated amounts available from other sources:	
	(c) Reimbursements	100,000

Item	Amount
(d) Amount payable from the Transportation Rate Fund (Item 252) -----	2,932,199
Net appropriation -----	3,545,612
252—For support of Public Utilities Commission of the State of California, payable from the Transportation Rate Fund -----	2,932,199

SOCIAL WELFARE

253—For support of Department of Social Welfare. Such appropriation, together with any grants made available by the federal government for support of the Department of Social Wel- fare during the 1962-63 fiscal year, shall be expended in accordance with the following schedule -----	3,865,679
Schedule:	
(a) Salaries and Wages -----	4,737,755
(b) Operating Expenses and Equipment -----	1,804,145
Total of schedule -----	6,541,900
Less estimated amounts available from other sources:	
(c) Reimbursements -----	205,434
(d) Estimated grants from the federal government -----	2,470,787
Net appropriation -----	3,865,679
provided, that any rule or regulation adopted by the State Social Welfare Board during the fiscal year 1962-63 which adds to the cost of any public assistance program shall only be effective from and after the date upon which it is approved as to availability of funds by the Director of Finance. All such additional costs shall be reported by the Director of Fi- nance to the Joint Legislative Budget Com- mittee quarterly.	
254—For support of Welfare Study Commission, and in addition thereto any grants made available by the federal government, to be expended under provisions of Sections 143 through 143.10 of the Welfare and Institu- tions Code -----	93,170
255—For support of the Citizens' Advisory Com- mittee on Aging, in accordance with the following schedule -----	62,798

Item	Amount
Schedule:	
(a) Salaries and Wages-----	37,720
(b) Operating Expenses and Equipment -----	25,078
Total of schedule -----	62,798
VETERANS AFFAIRS	
256—For support of Department of Veterans Affairs, in accordance with the following schedule -----	582,120
Schedule:	
(a) Salaries and Wages-----	566,682
(b) Operating Expenses and Equipment -----	142,028
Total of schedule-----	708,710
Less estimated amounts available from other sources:	
(c) From Veterans' Farm and Home Building Fund of 1943 (Item 257) -----	126,590
Net appropriation -----	582,120
257—For support of Department of Veterans Affairs, payable from the Veterans' Farm and Home Building Fund of 1943----- to be transferred to the General Fund in augmentation of Item 256.	126,590
258—For educational assistance to veterans and veterans' dependents, Department of Veterans Affairs, to be expended under the provisions of Sections 890 through 899 and Sections 981 through 981.7 of the Military and Veterans Code in accordance with the following schedule -----	3,344,300
Schedule:	
(a) Educational assistance to veterans -----	2,787,300
(b) Educational assistance to veterans' dependents -----	557,000
Total of schedule-----	3,344,300
259—For support of Veterans' Home of California, in accordance with the following schedule -----	2,857,794

Item	Amount
Schedule:	
(a) Salaries and Wages-----	3,533,203
(b) Operating Expenses and Equipment-----	1,035,286
Total of schedule-----	4,568,489
Less estimated amounts available from other sources:	
(c) Reimbursements-----	68,195
(d) Estimated grants from federal government-----	1,642,500
Net appropriation-----	2,857,794
provided, that none of the funds herein ap- propriated shall be expended for the pay- ment of sick leave pay for member employees.	
260—For hospitalization and care of members, to be expended pursuant to Sections 1086.1 and 1086.2 of the Military and Veterans Code, and maintenance of physical facilities, of Woman's Relief Corps Home-----	6,800
261—For support of United Spanish War Veterans Commission-----	3,400

WATER RESOURCES

262—For expenditure by Department of Water Resources, from moneys transferred to the Water Resources Revolving Fund, in accord- ance with the following schedule payable from the Water Resources Revolving Fund-----	28,352,287
Schedule:	
(a) Salaries and Wages-----	17,639,628
(b) Operating Expenses and Equipment-----	10,698,679
(c) State Employees' Retire- ment-----	1,168,814
(d) State Employees' Health and Welfare-----	117,340
Total of schedule-----	29,624,461
Less estimated reimbursements---	1,272,174
Net appropriation-----	28,352,287
provided, that any remaining balances in the Water Resources Revolving Fund continue to be appropriated by and subject to Section 135 of the Water Code.	
263—For transfer to the Water Resources Revolv- ing Fund to be transferred by the State Con- troller in such amounts as the Department	

Item	Amount
of Finance may authorize for support of Department of Water Resources, including co-operative work with other agencies, in accordance with the following schedule -----	9,259,784
Schedule:	
(a) Basic data -----	2,500,959
(b) Project planning -----	922,010
(c) Operations -----	1,512,672
(d) General investigations -----	2,942,462
(e) Other activities -----	1,409,081
(f) General administration ---	5,399,142
Less estimated reimburse-	
ments from programs:	
(1) General Fund -----	1,572,752
(2) Other -----	3,826,390
(g) Reduction to be allocated	
to programs -----	—27,400
Total of schedule -----	9,259,784
provided, that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after June 30, 1963, and any unexpended balances shall be returned to the General Fund as of June 30, 1963; and provided further, that any amount withdrawn from this item and expended for work in the Federal Co-operative program must be matched by an expenditure of like amount by the federal government in this State for this purpose; and further provided, that \$50,000 from (c) in the above schedule shall be available for Yuba River debris control subject to the provisions of Sections 340 through 342 of the Water Code.	
263.2—For transfer to the Water Resources Revolving Fund to be transferred by the State Controller in such amounts as the Department of Finance may authorize for the support of the Department of Water Resources, for investigation of the Mojave River Ground Water Basins, including Coyote, Harper, and Lucerne Valleys, to delineate the ground water basins and subarea boundaries, surface and subsurface geology, hydrologic characteristics including evaluation of hydrologic balance and local safe yield, ground water storage and storage capacity available, water quality characteristics and evaluation of present and future ground water quality problems	50,000

Item	Amount
264—For support of State Water Rights Board, and in addition any amounts received from filing fees for recordation of wells shall be expended in accordance with the following schedule -----	834,062
Schedule:	
(a) Salaries and Wages-----	719,056
(b) Operating Expenses and Equipment -----	169,006
Total of schedule-----	888,062
Less estimated reimbursements ---	54,000
Net appropriation -----	834,062
265—For support of Reclamation Board, in accordance with the following schedule -----	170,862
Schedule:	
(a) Salaries and Wages-----	506,773
(b) Operating Expenses and Equipment -----	156,675
Total of schedule-----	663,448
Less estimated reimbursements ---	492,586
Net appropriation -----	170,862
provided, that no more than \$492,586 be transferred from Item 410 to this item.	
266—For support of Colorado River Board of California, in accordance with the following schedule -----	222,710
Schedule:	
(a) Salaries and Wages-----	163,843
(b) Operating Expenses and Equipment -----	58,867
Total of schedule-----	222,710
267—For support of Klamath River Compact Commission -----	5,697
268—For support of California-Nevada Interstate Compact Commission -----	95,821
269—For support of State Water Pollution Control Board and the regional water pollution control boards, in accordance with the following schedule -----	918,503
Schedule:	
(a) Salaries and Wages-----	515,757
(b) Operating Expenses and Equipment -----	610,546
Total of schedule-----	1,126,303

Item	Amount
Less estimated amounts available from other sources:	
(c) Estimated grants from the federal government or agencies thereof -----	207,800
Net appropriation -----	918,503
provided, that \$50,000 of the funds made available to the State Water Pollution Control Board by this item, less such amount as may be expended for this purpose in the 1961-62 fiscal year, shall be used only for a contract with an independent consulting firm for a study and recommendations concerning the most efficient, economical and best inter-agency system for the collection, analysis, reporting and utilization of water quality, waste discharge, water pollution and contamination data obtained by the Department of Water Resources, Department of Public Health, Department of Fish and Game, State Water Pollution Control Board and the regional water pollution control boards from any and all sources.	
The final report of the consulting firm shall be submitted directly to the Rules Committees of the Legislature as well as the State Water Pollution Control Board by December 1, 1962.	
270—For support of California Goose Lake Compact Commission -----	5,000

MISCELLANEOUS

271—For claim of the Secretary of the State Board of Control, to be paid from the several funds, in accordance with the following schedule---	116,654
Schedule:	
(a) General Fund -----	97,802
(b) Department of Agriculture Fund -----	1,162
(c) Contractors' License Fund--	175
(d) Fish and Game Preservation Fund -----	327
(e) State Highway Fund-----	8,256
(f) Insurance Fund -----	13
(g) Motor Vehicle Fund -----	452
(h) Motor Vehicle Fuel Fund--	3,486
(i) Motor Vehicle License Fee Fund -----	31
(j) Motor Vehicle Transportation Tax Fund -----	502

Item	Amount
(k) Board of Nursing Education and Nurse Registration Fund -----	20
(l) Real Estate Fund -----	160
(m) Division of Architecture Revolving Fund -----	270
(o) Water Resources Revolving Fund -----	2,032
(p) Unclaimed Property Fund -----	789
(q) Unemployment Fund -----	42
(r) Fund in possession of and under control of 22d District Agricultural Association ---	1,135
Total of schedule -----	116,654
273—For transfer to the Special Deposit Fund from the San Francisco Harbor Improvement Fund -----	77,493
such transfer to be made by the State Controller upon order of the San Francisco Port Authority as determined and requested by the San Francisco World Trade Center Authority to be expended by the San Francisco World Trade Center Authority in the manner and for the purposes authorized under the provisions of the World Trade Center Authorities Act approved July 17, 1947, Chapter 1508, Statutes of 1947, including, but not limited to, expenses for surveys, plans, estimates, preliminary engineering and other expenses (preliminary or otherwise) incident to the acquisition, construction, financing, promotion and operation of a world trade center in the City and County of San Francisco; provided, that no withdrawals shall be made hereunder which in the opinion of the San Francisco Port Authority would prevent the San Francisco Port Authority from meeting its current obligations from said San Francisco Harbor Improvement Fund under the Harbors and Navigation Code. The San Francisco World Trade Center Authority and the San Francisco Port Authority shall agree in writing upon the terms and conditions for repayment of any amounts withdrawn from this appropriation, which agreement shall be subject to the approval of the Department of Finance, and which agreement may provide for repayment solely from the proceeds of the sale of revenue bonds issued with respect to the San Francisco World Trade Center under	

Item	Amount
the provisions of said World Trade Center Authorities Act if and when sold. The said agreement from time to time may be modified by the parties thereto with the consent of the Department of Finance.	
Except as may be provided by said agreement or any amendment or modification thereof, any return of said moneys to said San Francisco Harbor Improvement Fund shall not be subject to any provisions or limitations of Sections 10.4 and 10.5 or any other provision of the World Trade Center Authorities Act which otherwise might limit the source of or delay or postpone reimbursement of any appropriation, transfer, or advances by the State of California or any agency thereof.	
274—For augmentation of Service Revolving Fund to be transferred by the State Controller in such amounts and for such periods as the Department of Finance may authorize, provided, that any portion of this item may be used for purchase of equipment for the Printing Division.	169,571
275—For augmentation of the Service Revolving Fund, to be transferred by the State Controller in such amounts and at such times as funds are made available. Upon approval of the State Board of Control, the State Controller shall transfer to this item from any appropriation made from the General Fund by the provisions of Section 2 of this act that part of such appropriation which is intended to be used and is available for the purchase or replacement of automobiles	
276—For refunding of payments of taxes, licenses, fees and other receipts which have been erroneously collected and deposited in the General Fund for the refund of which no other provision is made by law and for payment of prior judgments, liens or encumbrances pursuant to Section 12516, Government Code----	30,000
277—For the payment of workmen's compensation benefits in conformance with the provisions of Sections 3201 through 6002 and Sections 6100 through 6149 of the Labor Code and Public Law 108, Chapter 225, 81st Congress, First Session, as adopted by Section 340, Military and Veterans Code, to state officers and employees whose salaries or wages at time of	

Item	Amount
compensable injury or death were payable in whole or in part from the General Fund-----	2,758,000
278—For payment of the additional compensation for subsequent injury provided for by Section 4751 of the Labor Code, Department of Industrial Relations -----	883,000
279—For support of Capitol Building and Planning Commission -----	2,500
and in addition any amounts received from other sources shall be available for expenditure pursuant to the provisions of Chapter 1952, Statutes of 1959.	
280—For payment of interest on order of the Director of Finance on transfers of money from any special fund, which is subject to investment, to the General Fund under Section 16310 of the Government Code, computed at a rate determined by the Department of Finance to be the rate of interest allowed interest bearing time deposits in banks for a similar period of time -----	500,000
281—For temporary transfers to the General Fund in accordance with Section 16310 of the Government Code, payable from the California Water Fund; provided, that this item does not authorize any transfer which will interfere with the object for which said California Water Fund was created.	

PROVISIONS FOR SALARY INCREASES

- 282—For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, the Trustees of the California State Colleges, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will (a) make sufficient money available to be paid each state officer or employee in the state service whose compensation, or a portion thereof, is payable from the General Fund, the increase in compensation provided for in any increased salary range or rate established during the 1961-62 or 1962-63 fiscal year by the State Personnel Board, or other salary-fixing authority, and (b) with respect to state officers whose salaries are specified by statute, make sufficient money available to augment by 5 percent the amount of salaries received by such offi-

Item

Amount

cers as of December 31, 1961, during the 1962-63 fiscal year, pursuant to Section 11570 of the Government Code----- 21,266,900

provided, that none of the moneys made available by this item shall be allocated to augment the salaries of (1) any state officer whose salary is fixed by state statute and whose salary is paid in whole or in part from county or city and county funds, or (2) any state officer or employee who presently receives an annual salary in excess of \$19,800, or who would receive an annual salary in excess of \$19,800 by any proposed salary increase. For state officers and employees, including officers whose salaries are specified by statute, whose compensation, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide increases in compensation for each such officer or employee, in accordance with this item, which amount is to be made available by executive order of the Director of Finance in augmentation of their respective appropriations for support or for other purposes. The purpose of this item, in part, is to provide sufficient funds to continue the 5 percent salary increases provided for under Chapter 1, Statutes of 1962 First Extraordinary Session. The increases provided for by this item are in addition to the increases authorized by Chapter 1, Statutes of 1962 First Extraordinary Session.

Allocations to the California State Colleges shall be made by the Department of Finance upon certification by the Trustees of the California State Colleges that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment, including the California state services.

Before the State Personnel Board or other administrative salary-fixing authority establishes any increased salary range during the 1962-63 fiscal year, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or may be made available from the appropriation in this item, to meet the cost of the increased salary range.

Item	Amount
283—For University Salary Increase Fund to be allocated by the Department of Finance to the Regents of the University of California, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range established during the 1961-62 and 1962-63 fiscal years by the regents ----- provided, that none of the money made available by this item shall be allocated to augment the salaries of any state officer or employee who presently receives an annual salary in excess of \$19,800, or who would receive an annual salary in excess of \$19,800 by any proposed salary increase. Allocations to the University of California shall be made by the Department of Finance upon certification by the regents that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment including the California state services.	6,025,680

RESERVE FOR CONTINGENCIES

284—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies ----- provided, that loans may be made from the Emergency Fund to state agencies which derive their support from sources other than the General Fund, upon such terms and conditions for repayment as may be prescribed by the Department of Finance and any sum so loaned shall, if ordered by the Department of Finance, be transferred by the State Controller to the fund from which the support of the agency is derived. Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law.	1,000,000
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CAPITAL OUTLAY SECTION

SEC. 2.1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1962-63, 1963-64 and 1964-65 fiscal years.

AGRICULTURE

Item	Amount
285—For capital outlay, Department of Agriculture, in accordance with the following schedule -----	79,050
Schedule:	
(a) Remodel office and laboratory space in 1220 N Street Building in Sacramento-----	50,000
(b) Construct and equip building addition — Animal Pathology Laboratory — Meadowview Road, Sacramento--	29,050
Total of schedule-----	79,050

CORRECTIONS

286—For capital outlay, Conservation Center, Department of Corrections, in accordance with the following schedule-----	41,513
Schedule:	
(a) Minor projects -----	41,513
Total of schedule-----	41,513
287—For capital outlay, Correctional Training Facility, Department of Corrections, in accordance with the following schedule-----	85,400
Schedule:	
(a) Minor projects -----	85,400
Total of schedule-----	85,400
288—For capital outlay, Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule-----	33,230
Schedule:	
(a) Minor projects -----	33,230
Total of schedule-----	33,230
288.5—For capital outlay, Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule-----	50,000
Schedule:	
(a) Minor projects for a camp at Vernalis -----	50,000
Total of schedule-----	50,000
289—For capital outlay, State Prison at Folsom, Department of Corrections, in accordance with the following schedule-----	58,400

Item	Amount
Schedule:	
(a) Minor projects -----	58,400
Total of schedule -----	58,400
290—For capital outlay, California Institution for Men, Department of Corrections, in accordance with the following schedule -----	110,060
Schedule:	
(a) Minor projects -----	110,060
Total of schedule -----	110,060
291—For capital outlay, State Prison at San Quentin, Department of Corrections, in accordance with the following schedule -----	63,179
Schedule:	
(a) Minor projects -----	63,179
Total of schedule -----	63,179
292—For capital outlay, California Institution for Women, Department of Corrections, in accordance with the following schedule -----	4,500
Schedule:	
(a) Minor projects -----	4,500
Total of schedule -----	4,500
YOUTH AUTHORITY	
293—For capital outlay, Northern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule -----	18,700
Schedule:	
(a) Minor projects -----	18,700
Total of schedule -----	18,700
294—For capital outlay, Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule -----	17,000
Schedule:	
(a) Minor projects -----	17,000
Total of schedule -----	17,000
295—For capital outlay, Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule -----	145,800
Schedule:	
(a) Minor projects -----	145,800
Total of schedule -----	145,800

Item	Amount
296—For capital outlay, Paso Robles School for Boys, Department of the Youth Authority, in accordance with the following schedule— Schedule:	127,400
(a) Minor projects-----	127,400
Total of schedule-----	127,400
297—For capital outlay, Preston School of Industry, Department of the Youth Authority, in accordance with the following schedule— Schedule:	62,900
(a) Minor projects-----	62,900
Total of schedule-----	62,900
298—For capital outlay, Los Guilucos School for Girls, Department of the Youth Authority, in accordance with the following schedule— Schedule:	42,500
(a) Minor projects-----	42,500
Total of schedule-----	42,500

EDUCATION

299—For capital outlay, Los Angeles Center, California Industries for the Blind, in accordance with the following schedule----- Schedule:	22,400
(a) Minor projects -----	22,400
Total of schedule-----	22,400
300—For capital outlay, California School for the Blind, in accordance with the following schedule ----- Schedule:	70,400
(a) Minor projects -----	70,400
Total of schedule-----	70,400
301—For capital outlay, California School for the Deaf, Berkeley, in accordance with the following schedule ----- Schedule:	10,630
(a) Minor projects -----	10,630
Total of schedule-----	10,630
302—For capital outlay, California School for the Deaf, Riverside, in accordance with the following schedule -----	6,707

Item	Amount
Schedule:	
(a) Minor projects -----	6,707
Total of schedule-----	6,707
HIGHER EDUCATION	
303—For capital outlay, University of California, exempt from Section 31 of this act, in accordance with the following schedule-----	1,999,700
provided that withdrawals shall be as required to meet maturing obligations as certified by the University of California notwithstanding any other provision of law.	
Schedule:	
(a) Minor projects -----	1,999,700
Total of schedule-----	1,999,700
305—For capital outlay, Chico State College, in accordance with the following schedule-----	90,090
Schedule:	
(a) Minor projects -----	90,090
Total of schedule-----	90,090
306—For capital outlay, Fresno State College, in accordance with the following schedule-----	39,265
Schedule:	
(a) Minor projects -----	39,265
Total of schedule-----	39,265
307—For capital outlay, Humboldt State College, in accordance with the following schedule-----	28,320
Schedule:	
(a) Improve sidewalks on "B" Street -----	7,720
(b) Minor projects -----	20,600
Total of schedule-----	28,320
308—For capital outlay, Long Beach State College, in accordance with the following schedule---	88,330
Schedule:	
(a) Minor projects -----	88,330
Total of schedule-----	88,330
309—For capital outlay, Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule -----	128,100
Schedule:	
(a) Minor projects -----	128,100
Total of schedule-----	128,100

Item	Amount
311—For capital outlay, Sacramento State College, in accordance with the following schedule_____	57,000
Schedule:	
(a) Minor projects _____	57,000
Total of schedule_____	57,000
312—For capital outlay, San Diego State College, in accordance with the following schedule_____	95,270
Schedule:	
(a) Minor projects _____	95,270
Total of schedule_____	95,270
313—For capital outlay, San Fernando Valley State College, in accordance with the following schedule _____	42,400
Schedule:	
(a) Minor projects _____	42,400
Total of schedule_____	42,400
314—For capital outlay, San Francisco State College, in accordance with the following schedule _____	76,750
Schedule:	
(a) Minor projects _____	76,750
Total of schedule_____	76,750
315—For capital outlay, San Jose State College, in accordance with the following schedule_____	136,850
Schedule:	
(a) Minor projects _____	136,850
Total of schedule_____	136,850
318—For capital outlay, California State Polytechnic College, in accordance with the following schedule _____	152,130
Schedule:	
(a) Minor projects—San Luis Obispo Campus _____	76,450
(b) Minor projects — Kellogg-Voorhis Campus _____	75,680
Total of schedule_____	152,130
319—For capital outlay, California Maritime Academy, in accordance with the following schedule _____	57,600
Schedule:	
(a) Minor projects _____	57,600
Total of schedule_____	57,600

EMPLOYMENT

Item	Amount
320—For capital outlay, Department of Employment, in accordance with the following schedule, payable from the Department of Employment Contingent Fund -----	425,100
Schedule:	
(a) Alterations to existing building—Los Angeles -----	173,100
(b) Alterations to existing building—Santa Barbara -----	50,000
(c) Alterations to existing building—Indio -----	48,700
(d) Alterations to air conditioning system, Electronic Data Processing Machine Room and replacement of floor—Sacramento Employment Building -----	153,300
Total of schedule-----	425,100
provided, that the amount appropriated by this item shall be reduced by the amount of any federal grants under Title III of the Social Security Act made available for expenditure for the purposes specified by this item.	
321—For capital outlay, Department of Employment, for the purposes listed below, payable from moneys credited to this State's account in the Unemployment Trust Fund and made available to this State under Section 903 of the Social Security Act, as amended-----	1,335,400
Purposes:	
(a) Land acquisition for parking lot—Long Beach	
(b) Construct additional building—San Francisco	
(c) Construct building addition—Santa Barbara	
(d) Construct building addition—Indio	
(e) Construction, parking lot development—Pasadena	
(f) Construction, parking lot development and necessary alley improvement — Long Beach	

provided, that such money is requisitioned from the Unemployment Trust Fund pursuant to Section 1528.5 of the Unemployment Insurance Code; no part of the money hereby appropriated may be obligated after the expira-

Item	Amount
tion of the two-year period beginning with the date of the enactment of this act. For purposes of this item, "date of enactment" means July 1, 1962; the total amount obligated pursuant to this item and Item 428 during the fiscal year 1962-63, or pursuant to this item during the fiscal year 1963-64, shall not exceed the amount by which the aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act during such particular fiscal year and the four preceding fiscal years, exceeds the aggregate of the amount obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five fiscal years.	

FISCAL AFFAIRS

322—For capital outlay, Department of Finance, in accordance with the following schedule-----	139,865
Schedule:	
(a) Equip San Diego State Building -----	30,485
(b) Construct sidewalks, Los Angeles State Building----	4,400
(c) Minor projects -----	104,980
Total of schedule-----	139,865
323—For capital outlay, Sixth District Agricultural Association, in accordance with the following schedule-----	50,000
Schedule:	
(a) Minor projects-----	50,000
Total of schedule-----	50,000

HIGHWAY PATROL

324—For capital outlay, Department of the California Highway Patrol, in accordance with the following schedule, payable from the Motor Vehicle Fund-----	492,520
Schedule:	
(a) Land acquisition for Truckee office -----	10,000
(b) Working drawings—Truckee office -----	8,000
(c) Construct Alta substation--	99,500
(d) Construct Fresno office, augmentation -----	99,000

Item	Amount
(e) Incorporation with Sacramento City drainage system	211,000
(f) Minor projects -----	65,020
Total of schedule -----	492,520
MENTAL HYGIENE	
325—For capital outlay, Langley Porter Neuropsychiatric Institute, in accordance with the following schedule -----	50,950
Schedule:	
(a) Minor projects -----	50,950
Total of schedule -----	50,950
326—For capital outlay, Neuropsychiatric Institute at University of California at Los Angeles, in accordance with the following schedule --	11,500
Schedule:	
(a) Minor projects -----	11,500
Total of schedule -----	11,500
327—For capital outlay, Agnews State Hospital, in accordance with the following schedule -----	118,390
Schedule:	
(a) Minor projects -----	118,390
Total of schedule -----	118,390
328—For capital outlay, Atascadero State Hospital, in accordance with the following schedule --	37,700
Schedule:	
(a) Minor projects -----	37,700
Total of schedule -----	37,700
329—For capital outlay, Camarillo State Hospital, in accordance with the following schedule ----	87,090
Schedule:	
(a) Minor projects -----	87,090
Total of schedule -----	87,090
330—For capital outlay, DeWitt State Hospital, in accordance with the following schedule -----	92,370
Schedule:	
(a) Minor projects -----	92,370
Total of schedule -----	92,370
331—For capital outlay, Mendocino State Hospital, in accordance with the following schedule ----	75,050

Item	Amount
Schedule:	
(a) Minor projects -----	75,050
Total of schedule -----	75,050
332—For capital outlay, Metropolitan State Hos- pital, in accordance with the following sched- ule -----	65,450
Schedule:	
(a) Minor projects -----	65,450
Total of schedule -----	65,450
333—For capital outlay, Modesto State Hospital, in accordance with the following schedule -----	78,550
Schedule:	
(a) Minor projects -----	78,550
Total of schedule -----	78,550
334—For capital outlay, Napa State Hospital, in accordance with the following schedule -----	84,150
Schedule:	
(a) Minor projects -----	84,150
Total of schedule -----	84,150
335—For capital outlay, Patton State Hospital, in accordance with the following schedule -----	69,800
Schedule:	
(a) Minor projects -----	69,800
Total of schedule -----	69,800
336—For capital outlay, Stockton State Hospital, in accordance with the following schedule ---	96,000
Schedule:	
(a) Minor projects -----	96,000
Total of schedule -----	96,000
337—For capital outlay, Fairview State Hospital, in accordance with the following schedule ---	62,500
Schedule:	
(a) Minor projects -----	62,500
Total of schedule -----	62,500
338—For capital outlay, Pacific State Hospital, in accordance with the following schedule -----	61,100
Schedule:	
(a) Minor projects -----	61,100
Total of schedule -----	61,100
339—For capital outlay, Porterville State Hospital, in accordance with the following schedule ---	36,050

Item		Amount
	Schedule:	
	(a) Minor projects -----	36,050
	Total of schedule -----	36,050
340—	For capital outlay, Sonoma State Hospital, in accordance with the following schedule -----	50,950
	Schedule:	
	(a) Minor projects -----	50,950
	Total of schedule -----	50,950

MILITARY AFFAIRS

341—	For capital outlay, Military Department, in accordance with the following schedule -----	125,800
	Schedule:	
	(a) Minor projects -----	125,800
	Total of schedule -----	125,800

MOTOR VEHICLES

342—	For capital outlay, Department of Motor Vehicles, in accordance with the following schedule, payable from the Motor Vehicle Fund ---	1,254,880
	Schedule:	
	(a) Land acquisition for office building and parking—San Rafael -----	110,000
	(b) Working drawings—San Rafael -----	15,000
	(c) Land acquisition for office building and parking—Bakersfield -----	250,000
	(d) Land acquisition for parking—Sacramento -----	350,000
	(e) Construct office building—El Centro -----	161,800
	(f) Construct office building at Santa Ana -----	109,000
	(g) Construct office building at Long Beach -----	90,700
	(h) Construct office building at Stockton -----	85,980
	(i) Minor projects -----	82,400
	Total of schedule -----	1,254,880

NATURAL RESOURCES

Item	Amount
343—For capital outlay, Department of Conservation, in accordance with the following schedule -----	737,076
Schedule:	
(a) Land acquisition for Nevada County Ranger Unit Headquarters -----	12,000
(b) Land acquisition for look-outs and forest fire stations -----	24,100
(c) Engineering planning and inspection services -----	127,944
(d) Water and site development for the Arnold Forest Fire Station -----	10,000
(e) Minor projects -----	563,032
Total of schedule -----	737,076
344—For capital outlay, Department of Fish and Game, payable from the Fish and Game Preservation Fund including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item. The appropriation made by this item shall be expended in accordance with the following schedule -----	150,000
Schedule:	
(a) Remodel Hot Creek Hatchery, phase II -----	140,000
(b) Minor projects -----	10,000
Total of schedule -----	150,000
345—For capital outlay, Department of Parks and Recreation, in accordance with the following schedule -----	6,533,600
Schedule:	
(a) Land acquisition—statewide -----	500,000
(b) Land acquisition—public domain lands controlled by the United States Department of Interior, Bureau of Land Management -----	32,000
Subtotal, land acquisition -----	532,000

Item	Amount
(aa) Construction at Angel Island State Park -----	111,659
(bb) Construction at Atascadero Beach State Park -----	189,020
(cc) Construction at Benicia Beach State Park -----	514,817
(dd) Construction at Butano State Park -----	299,489
(ee) Construction at Clear Lake State Park -----	134,790
(ff) Construction at Columbia Historic State Park -----	60,000
(gg) Construction at Folsom Lake State Park -----	375,600
(hh) Construction at Grover Hot Springs State Park -----	249,100
(ii) Construction at Hearst-San Simeon State Historical Monument -----	558,430
(jj) Construction at Henry Cowell Redwoods State Park -----	173,633
(kk) Construction at Humboldt Redwoods State Park -----	124,650
(ll) Construction at La Costa Beach State Park -----	370,360
(mm) Construction at McGrath Beach State Park -----	208,425
(nn) Construction at Millerton Lake State Park -----	273,620
(oo) Construction at Monterey State Historical Monuments -----	50,135
(pp) Construction at Ocean Beach State Park -----	578,930
(qq) Construction at Pueblo de Los Angeles State Historical Monument -----	400,000
(rr) Construction at San Francisco Maritime State Historical Monument -----	69,000
(ss) Construction at Seacliff Beach State Park -----	117,607
(tt) Construct sidewalks, curbs and gutters at Sonoma State Historical Monument -----	1,500
(uu) Minor projects -----	1,140,835
Subtotal, construction -----	6,001,600
Total of schedule -----	6,533,600

346—For loan, in accordance with Section 3, Chapter 2056, Statutes of 1961, Division of Small

Item	Amount
Craft Harbors, Department of Parks and Recreation, payable from the Small Craft Harbor Revolving Fund-----	750,000
Notwithstanding any other provisions of law to the contrary such fees, rentals and other returns for the use of Lake Elsinore State Park are appropriated to repay the loan and maintain an adequate water level in the lake.	
346.1.—For capital outlay, Department of Public Works, for traffic and revenue studies, location studies, permit applications, public hearings, preliminary design and cost analysis, utility relocations, right-of-way negotiations, appraisals and acquisitions, approach road connection studies and design, structural and other final design and all other acts necessary or desirable to award the contract or contracts to construct and to sell bonds for a toll tube or toll bridge crossing between the Cities of San Diego and Coronado, payable out of the money in the State Highway Fund available for construction of state highways in County Group No. 2, as specified in Section 187 of the Streets and Highways Code-----	3,075,000
provided, that the California Toll Bridge Authority shall return said appropriation, or so much thereof as may be used, together with interest thereon at the rate of one and one-half percent ($1\frac{1}{2}\%$) per annum, to be computed on the total amount withdrawn during any one year, to the State Treasury to be accereditd to the State Highway Fund available for construction of highways in County Group No. 2, as specified in Section 187 of the Streets and Highways Code from the proceeds of the first sale of revenue bonds issued for the construction of any toll bridge, toll tube, or other highway crossing under the provisions of the California Toll Bridge Authority Act between the Cities of San Diego and Coronado, provided, further, that expenditures shall not be made from this appropriation until the department shall have rendered a report on the project to the California Toll Bridge Authority on the department's progress to June 30, 1962, including the department's recommendation thereon, and until the authority finds that such studies should proceed; and provided further that expenditures shall not be made for right-of-way acquisitions until the California Toll Bridge Authority by	

Item	Amount
ects; the principal amount of each such transfer to be retransferred from the State Highway Fund to the General Fund for credit to this item within one year of such transfer or thereafter upon executive order of the Director of Finance -----	5,000,000

STATE CONSTRUCTION BOND ACT PROGRAM

SEC. 2.2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1962-63, 1963-64 and 1964-65 fiscal years for expenditure only for the programs contemplated by the State Construction Program Bond Act of 1955, or the State Construction Program Bond Act of 1958, or any State Construction Program Bond Act thereafter enacted.

CORRECTIONS

Item	Amount
350—For capital outlay, Conservation Center, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund -----	9,675,700
Schedule:	
(a) Equip conservation center—	
Lassen County—phase II_	375,000
(b) Construct conservation center branch—Tuolumne County—phase II -----	9,300,700
Total of schedule -----	9,675,700
351—For capital outlay, Correctional Training Facility, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund ..	172,050
Schedule:	
(a) Construct warehouse -----	172,050
Total of schedule -----	172,050
352—For capital outlay, Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund ..	84,300
Schedule:	
(a) Construct industries warehouse -----	74,300
(b) Equip in-service training building -----	10,000
Total of schedule -----	84,300

Item	Amount
353—For capital outlay, California Institution for Men, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund Schedule:	103,100
(a) Construct inmate activity building -----	103,100
Total of schedule-----	103,100
354—For capital outlay, Medical Facility, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund-----	1,531,000
Schedule:	
(a) Construct psychiatric treatment unit -----	1,531,000
Total of schedule-----	1,531,000
355—For capital outlay, California Institution for Women, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund--	877,000
Schedule:	
(a) Construct adjustment center	797,000
(b) Equip reception-guidance center -----	80,000
Total of schedule-----	877,000

YOUTH AUTHORITY

356—For capital outlay, Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund -----	147,700
Schedule:	
(a) Replace men's dormitory --	147,700
Total of schedule-----	147,700
357—For capital outlay, Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund -----	717,400
Schedule:	
(a) Equip living unit-----	13,000
(b) Remodel kitchen-dining room into chapels -----	137,200
(c) Equip chapels -----	26,100

Item	Amount
(d) Construct storm drainage system—phase II_____	74,100
(e) Construct two living units__	467,000
Total of schedule_____	717,400
358—For capital outlay, Northern California Youth Center, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund _____	6,660,000
Schedule:	
(a) Construct central administrative facilities _____	1,602,000
(b) Equip central administrative facilities—partial _____	10,000
(c) Construct institution _____	5,048,000
Total of schedule_____	6,660,000
359—For capital outlay, Youth Training School, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund _____	689,900
Schedule:	
(a) Construct vocational and academic facilities—phase IV _____	689,900
Total of schedule_____	689,900
360—For capital outlay, Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund__	535,700
Schedule:	
(a) Equip new school—partial cost _____	35,000
(b) Construct living unit _____	397,400
(c) Construct additional classrooms and offices _____	103,300
Total of schedule_____	535,700

HIGHER EDUCATION

361—For capital outlay, University of California, exempt from Section 31, of this act, in accordance with the following schedule, payable from the State Construction Program Fund _____	52,307,300
provided, that withdrawals shall be as required to meet maturing obligations as certified by the University of California notwithstanding any other provision of law. Provided, that any	

Item

Amount

portion of this appropriation may be transferred to Item 361.5 for capital outlay, University of California, upon executive order of the Department of Finance.

Schedule:

(a) Equip education-psychology building—Berkeley -----	300,000
(b) Equip alterations to Hearst Mining Building—Berkeley -----	220,000
(c) Equip chemistry unit 1—Berkeley -----	570,000
(d) Equip alterations to life sciences building—Berkeley---	50,000
(e) Land acquisition—Anna Head School property—Berkeley -----	200,000
(f) Alterations to Stephens Union, step 1—Berkeley -----	566,500
(g) Construct and equip alterations to LeConte Hall—Berkeley -----	139,400
(h) Construct utility improvements on campus—Berkeley -----	552,000
(i) Construct utility improvements at Gill Tract—Berkeley -----	75,000
(j) Construct and equip physical sciences lecture hall—Berkeley -----	647,500
(k) Construct and equip facilities and improvements at the Richmond Field Station—Berkeley -----	334,300
(l) Construct and equip alterations to Gilman Hall—Berkeley -----	266,000
(m) Construct general campus improvements—Berkeley --	74,000
(n) Site development for chemistry unit 2—Berkeley-----	40,000
(o) Land acquisition—Newman Hall property—Berkeley---	400,000
(p) Equip physical sciences unit 1—Davis -----	244,000
(q) Equip veterinary medicine-laboratory animal housing unit 2—Davis -----	29,000
(r) Equip biological sciences unit 2—Davis -----	652,200

Item	Amount
(s) Provide air conditioning for classroom and office unit 2—Davis -----	89,400
(t) Construct utilities—Davis---	420,000
(u) Construct west central campus road improvement and drainage—step 1—Davis ---	161,500
(v) Construct low energy nuclear research laboratory — Davis -----	401,400
(w) Working drawings for humanities buildings — Davis	98,200
(x) Working drawings for physical sciences unit 2—Davis---	124,100
(y) Construct and equip veterinary medicine isolation housing for large animal research —Davis -----	447,400
(z) Construct and equip animal husbandry beef cattle feeding facility—Davis -----	161,500
(aa) Construct vegetable crops controlled temperature storage facilities—Davis -- ---	559,700
(bb) Construct administration building—Davis -----	2,174,100
(cc) Relocate and construct pomology field headquarters facilities—Davis -----	161,500
(dd) Construct residence hall unit 6—Davis -----	627,400
(ee) Construct utilities and site development—Irvine -----	1,008,000
(ff) Working drawings for academic buildings — step 1 — Irvine -----	494,500
(gg) Equip theater arts unit 1—Los Angeles -----	185,600
(hh) Equip addition to chemistry-geology building — Los Angeles -----	400,000
(ii) Construct west campus utilities and site development—Los Angeles -----	480,000
(jj) Construct steam plant expansion—Los Angeles -----	625,300
(kk) Construct extension of utilities, roads, and walks to north campus—step 3 — Los Angeles -----	528,900

Item	Amount
(ll) Construct art unit 2—Los Angeles -----	3,329,600
(mm) Construct university activities memorial center—Los Angeles -----	1,821,000
(nn) Construct basic sciences unit 2A—Los Angeles Medical Center -----	11,373,400
(oo) Construct west medical campus utilities and site development — Los Angeles Medical Center -----	466,600
(pp) Working drawings for school of dentistry unit and expansion of student health service facilities—Los Angeles Medical Center -----	237,600
(qq) Equip humanities building —Riverside -----	350,000
(rr) Construct boiler addition—Riverside -----	182,000
(ss) Construct electrical improvements — citrus experiment station area—Riverside -----	96,100
(tt) Construct and equip custodial and grounds department headquarters — Riverside -----	170,000
(uu) Construct physical sciences unit 3—Riverside -----	2,601,000
(vv) Construct site development —Riverside -----	115,000
(ww) Construct agricchemicals and produce quality laboratory and environmental pollution laboratory — Riverside -----	323,000
(xx) Construct improvements to citrus experiment station irrigation, runoff, and salvage systems—Riverside ---	323,000
(yy) Construct and equip purchasing department facility —Riverside -----	58,000
(zz) Equip building B — school of science and engineering—San Diego -----	475,300
(aaa) Equip building C—school of science and engineering—San Diego -----	500,000

Item	Amount
(bbb) Construct utilities and site development—school of science and engineering—San Diego -----	107,400
(ccc) Construct building D—school of science and engineering—San Diego -----	1,842,400
(ddd) Construct and equip institute of geophysics and planetary physics building—school of science and engineering—San Diego -----	468,000
(eee) Working drawings for building E—San Diego ----	98,200
(fff) Construct addition to clinics building—San Francisco Medical Center -----	3,923,700
(ggg) Construct and equip storehouse facility relocated to Richmond from San Francisco Medical Center -----	63,300
(hhh) Land acquisition — San Francisco Medical Center --	250,000
(iii) Carry out demolition and site clearance for additional campus research facilities—San Francisco Medical Center -----	73,400
(jjj) Equip classroom and office unit 2—step 2—classroom unit—Santa Barbara -----	104,000
(kkk) Equip central laboratory for radioactive materials—Santa Barbara -----	255,000
(lll) Land acquisition — Santa Barbara -----	516,100
(mmm) Construct speech and drama building—Santa Barbara -----	1,944,200
(nnn) Construct psychology building—Santa Barbara --	1,641,400
(ooo) Working drawings for marine biology laboratory — Santa Barbara -----	21,300
(ppp) Construct administration building—Santa Barbara --	1,936,600
(qqq) Construct initial improvements—Santa Cruz -----	500,000
(rrr) General planning studies, preliminary plans and programming -----	600,000

Item

Amount

(sss) Construct and equip San Joaquin Valley west-side field station development— step 2 -----	250,000
(ttt) Provide television facilities and equipment -----	200,000
(uuu) Acquisition of books for new campuses -----	300,000
(vvv) Construct and equip addi- tion to Hastings College of the Law building—step 1 --	282,300

Total of schedule-----52,307,300

361.5—For capital outlay, University of California, exempt from Section 31, of this act, in accordance with the following schedule, payable from the State Construction Program Fund provided, that withdrawals shall be as required to meet maturing obligations as certified by the University of California notwithstanding any other provision of law.

If grants of money from the federal government for health sciences projects become available for any one or more of the projects for which an appropriation is made in Item 361, Budget Act of 1962, Schedule (a) to (vvv), inclusive, or for any one or more other projects related to health sciences for which an appropriation has been made to the University of California by Item 357, Budget Act of 1961, with the result that the total amount required to be expended for that project from the state funds so appropriated is reduced, subject to the approval of the Director of Finance an amount of funds equal to the amount of the reduction may be transferred from the appropriation of Item 357, Budget Act of 1961, or Item 361, Budget Act of 1962, to Item 361.5, Budget Act of 1962, for use by the University of California as the State's contribution for any matching fund requirements for federal grants for any one or more of the projects relating to health sciences which are approved by the federal government for a federal grant and which also are among the projects listed below, as more particularly described in the report submitted by the Department of Finance pursuant to Senate Resolution No. 15 of the 1954 First Extraordinary

Item

Amount

Session, entitled "Report on State Building Construction Program" as revised March 7, 1962.

Schedule:

- | | |
|---|-----------|
| (a) Equip basic sciences unit
2A—Los Angeles Medical
Center ----- | 1,385,000 |
| (b) Construct and equip clinics
expansion—San Francisco
Medical Center ----- | 1,255,000 |
| (c) Construct and equip school
of dentistry unit and student
health service expansion—
Los Angeles Medical Center | 6,489,100 |
| (d) Equip additional campus re-
search facilities—San Fran-
cisco Medical Center----- | 130,000 |
| (e) Equip physical rehabilita-
tion unit—Los Angeles Medi-
cal Center ----- | 705,000 |
| (f) Working drawings, construct
and equip alterations to
Medical Sciences Building
related to clinics expansion—
San Francisco Medical Cen-
ter ----- | 93,200 |
| (g) Working drawings, construct
and equip clinics building
addition for School of Den-
tistry postgraduate program
— San Francisco Medical
Center ----- | 147,200 |
| (h) Working drawings, construct
and equip hospital and
clinics—unit 2B—Los An-
geles Medical Center----- | 8,840,500 |
| (i) Working drawings, construct
and equip expansion of teach-
ing facilities to accommodate
128 student medical class—
San Francisco Medical Cen-
ter ----- | 1,655,400 |
| (j) Working drawings, construct
and equip additional space
for activities displaced by ex-
pansion of teaching facilities
— San Francisco Medical
Center ----- | 267,600 |

Item	Amount
(k) Working drawings and construct conversion of storehouse area to pharmacy processing laboratory — San Francisco Medical Center—	92,700
(l) Working drawings, construct and equip alterations to county hospital facilities — step 1—San Diego Medical Center -----	887,800
(m) Equip health sciences instruction and research—unit 1 — San Francisco Medical Center -----	800,000
(n) Working drawings and construct alterations to hospital clinic unit 1 — Los Angeles Medical Center -----	73,500
(o) Working drawings and construct alteration to basic science unit 1 — Los Angeles Medical Center -----	689,700
(p) Working drawings construct and equip University of California hospital conversion—step 2—San Francisco Medical Center -----	2,019,900
(q) Working drawings, construct and equip medical sciences unit 1—Basic Sciences—San Diego Medical Center-----	10,669,600
(r) Preliminary plans for medical projects -----	208,500
Total of schedule-----	36,409,700
Less estimated amounts available from other sources -----	36,409,700

Net appropriation ----- 0

provided, that no money transferred herein may be expended by the University of California except amounts for acquisition of land or other real property, amount needed for equipment, preliminary surveys, studies and planning and minor projects until the State Public Works Board and the Department of Finance have approved preliminary plans for the project to be financed from such time of transfer or appropriation for capital outlay; provided further, no major project for which

Item	Amount
<p>a transfer or appropriation is made hereunder regarding which the Director of Finance or his authorized representative requests review of working plans shall be put out to bid until the working plans therefor have been approved by the Department of Finance; provided further, that no money transferred or appropriated herein may be spent for working drawings for any project as to which there has been made substantial change or changes from the preliminary plans as approved by the State Public Works Board and the Department of Finance unless there has first been obtained the approval of the Department of Finance to make such change or changes; provided further, that no money transferred or appropriated herein may be spent for equipment until prior approval for purchase of such equipment shall have been given by the Department of Finance.</p>	
<p>363—For capital outlay, State College for Alameda County, in accordance with the following schedule, payable from the State Construction Program Fund -----</p>	3,368,100
Schedule:	
(a) Construct boiler plant -----	355,100
(b) Construct outdoor physical education facilities, phase I -----	380,000
(c) Construct physical education fieldhouse -----	190,000
(d) Construct corporation yard, phase I -----	150,000
(e) Working drawings for classroom—music building -----	68,000
(f) Site development, phase III -----	1,746,000
(g) Initial complement of equipment, phase III -----	367,000
(h) Equip corporation yard -----	12,000
(i) Initial complement of books -----	100,000
Total of schedule -----	3,368,100
<p>364—For capital outlay, Chico State College, in accordance with the following schedule, payable from the State Construction Program Fund -----</p>	853,520
Schedule:	
(a) Land acquisition -----	250,000
(b) Working drawings for residence hall cafeteria -----	43,000
(c) Air condition library -----	121,400
(d) Equip remodeled administration building—phase II -----	8,400

Item	Amount
(e) Construct swine farrowing barn -----	36,900
(f) Construct swine nursery and finishing unit -----	27,100
(g) Construct swine boar unit ..	13,000
(h) Construct beef cattle corrals ..	24,000
(i) Construct dairy feed barn ..	56,600
(j) Construct dairy milk barn ..	77,000
(k) Construct dairy feed bunk and silo -----	40,200
(l) Equip college farm—phase III -----	25,420
(m) Farm site development—phase II -----	80,500
(n) Initial complement of farm equipment -----	50,000
Total of schedule	853,520
365—For capital outlay, Fresno State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	171,800
Schedule:	
(a) Remodel biology classrooms ..	126,100
(b) Equip remodeled biology classrooms -----	45,700
Total of schedule	171,800
366—For capital outlay, Humboldt State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	855,700
Schedule:	
(a) Construct outdoor physical education facilities -----	176,150
(b) Remodel gymnasiums -----	85,550
(c) Construct marine fisheries facility -----	512,000
(d) Construct child development laboratory -----	82,000
Total of schedule	855,700
367—For capital outlay, Long Beach State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	783,400
Schedule:	
(a) Working drawings for physical education building addition -----	74,000

Item		Amount
	(b) Construct health service building -----	593,400
	(c) Equip classroom building No. 5 -----	116,000
	Total of schedule -----	783,400
368—	For capital outlay, Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule, payable from the State Construction Program Fund -----	728,300
	Schedule:	
	(a) Working drawings for administration building -----	53,300
	(b) Equip classroom building No. 1—phase I -----	650,000
	(c) Equip health service building—phase II -----	25,000
	Total of schedule -----	728,300
369—	For capital outlay, Orange County State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	6,600,500
	Schedule:	
	(a) Construct music, speech and drama building -----	4,429,700
	(b) Working drawings for gymnasium -----	82,000
	(c) Construct outdoor physical education facilities -----	205,100
	(d) Construct perimeter roads, walks, curbs and gutters ---	381,700
	(e) Site development, phase II ---	302,000
	(f) Construct parking -----	100,000
	(g) Equip science classroom building—phase I -----	1,000,000
	(h) Initial complement of books -----	100,000
	Total of schedule -----	6,600,500
370—	For capital outlay, Sacramento State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	840,000
	Schedule:	
	(a) Land acquisition -----	460,000
	(b) Working drawings for science building addition -----	230,000
	(c) Equip art building -----	150,000
	Total of schedule -----	840,000

Item	Amount
371—For capital outlay, San Bernardino-Riverside State College, in accordance with the following schedule, payable from the State Construction Program Fund-----	1,000,000
Schedule:	
(a) Land acquisition-----	1,000,000
Total of schedule-----	1,000,000
372—For capital outlay, San Diego State College, in accordance with the following schedule, payable from the State Construction Program Fund-----	8,021,175
Schedule:	
(a) Construct business administration and mathematics building-----	3,292,275
(b) Remodel women's gymnasium-----	109,600
(c) Remodel heating and ventilating system in humanities—social science building-----	404,200
(d) Construct speech—drama building-----	2,456,500
(e) Construct parking-----	118,000
(f) Construct west cafeteria-----	838,600
(g) Site development, phase I-----	142,000
(h) Equip life science building, phase II-----	650,000
(i) Equip women's gymnasium-----	10,000
Total of schedule-----	8,021,175
373—For capital outlay, San Fernando Valley State College, in accordance with the following schedule, payable from the State Construction Program Fund-----	8,583,100
Schedule:	
(a) Construct administration-education building-----	3,443,000
(b) Construct engineering building-----	3,955,600
(c) Construct parking and roads, walks, curbs and gutters-----	162,900
(d) Air condition library-----	121,600
(e) Equip science building, phase II-----	700,000
(f) Initial complement of equipment—engineering; phase II-----	200,000
Total of schedule-----	8,583,100

Item	Amount
374—For capital outlay, San Francisco State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	3,522,545
Schedule:	
(a) Construct psychology and air science building -----	1,235,400
(b) Working drawings for classroom building No. 3 addition -----	65,000
(c) Construct music-speech building addition -----	1,779,145
(d) Construct classroom building No. 2 addition -----	368,000
(e) Equip engineering curriculum, phase III -----	75,000
Total of schedule -----	3,522,545
375—For capital outlay, San Jose State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	2,929,000
Schedule:	
(a) Construct classroom building No. 1 -----	2,400,000
(b) Working drawings for residence hall cafeteria -----	42,800
(c) Remodel tower hall -----	174,000
(d) Provide campus street lighting -----	94,200
(e) Equip education building --	150,000
(f) Equip women's gymnasium addition -----	38,000
(g) Equip multistory garage---	30,000
Total of schedule -----	2,929,000
376—For capital outlay, Sonoma State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	1,720,000
(a) Working drawings for science classroom buildings--	310,000
(b) Initial complement of equipment—phase I -----	150,000
(c) Initial complement of books -----	50,000
(d) Site development—phase II--	500,000
(e) Construct outdoor physical education facilities -----	250,000
(f) Construct fieldhouse -----	315,000
(g) Construct offsite utilities ---	145,000
Total of schedule -----	1,720,000

Item	Amount
377—For capital outlay, South Bay State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	5,000,000
Schedule:	
(a) Land acquisition -----	5,000,000
Total of schedule -----	5,000,000
378—For capital outlay, Stanislaus State College, in accordance with the following schedule, payable from the State Construction Program Fund -----	5,098,100
Schedule:	
(a) Site development, phase I ..	817,000
(b) Working drawings for site development, phase II -----	50,000
(c) Construct classroom building ..	1,700,000
(d) Construct library -----	1,316,100
(e) Construct boiler plant -----	754,000
(f) Initial complement of books ..	50,000
(g) Construct outdoor physical education facilities -----	294,000
(h) Construct fieldhouse -----	117,000
Total of schedule -----	5,098,100
379—For capital outlay, California State Polytechnic College, in accordance with the following schedule, payable from the State Construction Program Fund -----	6,211,500
Schedule:	
(a) Construct parking — San Luis Obispo Campus -----	154,400
(b) Site development—San Luis Obispo Campus -----	431,000
(c) Equip engineering building —phase II—San Luis Obispo Campus -----	451,300
(d) Construct engineering addition—Kellogg-Voorhis Campus -----	4,833,000
(e) Construct swimming pools —Kellogg-Voorhis Campus ..	248,000
(f) Working drawings for cafeteria—Kellogg-Voorhis Campus -----	40,000
(g) Construct parking—Kellogg-Voorhis Campus -----	53,800
Total of schedule -----	6,211,500

FISCAL AFFAIRS

Item	Amount
379.5—For capital outlay, Department of Finance, in accordance with the following schedule, payable from the State Construction Program Fund -----	185,000
Schedule:	
(a) Land acquisition—in or near San Fernando Valley Administrative Center -----	185,000
Total of schedule -----	185,000

MENTAL HYGIENE

380—For capital outlay, Langley Porter Neuropsychiatric Institute, in accordance with the following schedule, payable from the State Construction Program Fund -----	250,000
Schedule:	
(a) Land acquisition for new institute -----	250,000
Total of schedule -----	250,000
381—For capital outlay, Agnews State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	460,500
Schedule:	
(a) Construct chapel and related facilities -----	425,500
(b) Equip chapel and related facilities -----	35,000
Total of schedule -----	460,500
382—For capital outlay, Camarillo State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	113,000
Schedule:	
(a) Working drawings for laundry building -----	80,000
(b) Equip laundry -----	33,000
Total of schedule -----	113,000
382.1—For capital outlay, DeWitt State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	150,000

Item	Amount
Schedule:	
(a) Alterations and additions to convert facilities from care of mentally ill to mentally retarded -----	150,000
Total of schedule -----	150,000
383—For capital outlay, Mendocino State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	461,300
Schedule:	
(a) Remodel and modernize wards 7 and F, phase II-----	453,800
(b) Equip remodeled and mod- ernized wards 7 and F-----	7,500
Total of schedule-----	461,300
384—For capital outlay, Metropolitan State Hos- pital, in accordance with the following sched- ule, payable from the State Construction Pro- gram Fund -----	466,200
Schedule:	
(a) Construct water treatment facilities -----	90,200
(b) Remodel wards 32-34-----	317,400
(c) Equip remodeled wards 32-34	6,600
(d) Additional electrical services	52,000
Total of schedule-----	466,200
385—For capital outlay, Modesto State Hospital, in accordance with the following schedule, pay- able from the State Construction Program Fund -----	100,000
Schedule:	
(a) Working drawings for re- ceiving and treatment unit	100,000
Total of schedule-----	100,000
386—For capital outlay, Patton State Hospital, in accordance with the following schedule, pay- able from the State Construction Program Fund -----	274,000
Schedule:	
(a) Air conditioning for two ward buildings-----	274,000
Total of schedule-----	274,000

Item	Amount
387—For capital outlay, Stockton State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	471,600
Schedule:	
(a) Equip alterations to cottage F -----	6,600
(b) Air condition new additions to cottage G -----	161,000
(c) Remodel cottage I -----	300,000
(d) Equip remodeled cottage I -----	4,000
Total of schedule -----	471,600
388—For capital outlay, Fairview State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	554,610
Schedule:	
(a) Construct auditorium -----	401,400
(b) Equip auditorium -----	27,010
(c) Alter and equip laundry building -----	126,200
Total of schedule -----	554,610
389—For capital outlay, Pacific State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	116,000
Schedule:	
(a) Equip research center -----	116,000
Total of schedule -----	116,000
390—For capital outlay, Porterville State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	37,200
Schedule:	
(a) Equip acute hospital annex -----	37,200
Total of schedule -----	37,200
391—For capital outlay, Sonoma State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund -----	60,100
Schedule:	
(a) Construct additional electrical services -----	60,100
Total of schedule -----	60,100

Item	Amount
391.1—For capital outlay, Department of Mental Hygiene, in accordance with the following schedule, payable from the State Construction Program Fund-----	4,750,000
Schedule:	
(a) Site acquisition -----	600,000
(b) Site development -----	150,000
(c) Working drawings and construction of 3 multipurpose psychiatric centers -----	4,000,000
	<hr/>
Total of schedule-----	4,750,000
provided, that these funds may be used for purchase or alteration of existing buildings and shall be available only upon agreement of counties and/or cities and counties to participate in construction and/or operation and/or land acquisition.	

NATURAL RESOURCES

392—For capital outlay, Department of Conservation, in accordance with the following schedule, payable from the State Construction Program Fund -----	2,296,791
Schedule:	
(a) Land acquisition for forestry conservation camps -----	50,000
(b) Equip District V headquarters -----	22,480
(c) Construct Lassen County Ranger Unit barracks and messhall -----	134,250
(d) Equip Lassen County Ranger Unit barracks and messhall -----	2,135
(e) Construct Butte County Ranger Unit warehouse----	65,970
(f) Equip Butte County Ranger Unit warehouse -----	6,860
(g) Construct Irvine Lake Forest Fire Station combination barracks and 3-bay equipment storage -----	115,700
(h) Equip Irvine Lake Forest Fire Station combination barracks and 3-bay equipment storage -----	3,384
(i) Construct Cambria Forest Fire Station -----	87,160

Item	Amount
(j) Equip Cambria Forest Fire Station -----	1,695
(k) Construct Hilton Forest Fire Station -----	87,075
(l) Equip Hilton Forest Fire Station -----	2,195
(m) Equip Mono-Inyo Conservation Camp -----	248,313
(n) Construct Sonoma County Conservation Camp -----	524,423
(o) Equip Sonoma County Conservation Camp -----	119,445
(p) Construct Rainbow Conservation Camp -----	461,909
(q) Equip Rainbow Conservation Camp -----	54,091
(r) Construct two conservation camps—1st phase -----	238,126
(s) Equip two conservation camps—1st phase -----	71,580
Total of schedule -----	2,296,791

VETERANS AFFAIRS

393—For capital outlay, Veterans' Home of California, in accordance with the following schedule, payable from the State Construction Program Fund -----	187,300
Schedule:	
(a) Alterations, additions and improvements to main kitchen, main dining room and bakery building -----	187,300
Total of schedule -----	187,300

UNALLOCATED

394—For project planning, to be allocated by the Department of Finance, subject to approval by the State Public Works Board, to state agencies, payable from the State Construction Program Fund -----	900,000
The amount appropriated in this item is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future fiscal year.	

Item

Amount

394.5—If grants of money from the federal government for projects consisting of preliminary plans, working drawings, construction and equipment for academic and related facilities for institutions of higher education become available for any one or more of the projects for preliminary plans, working drawings, construction, and equipment for academic and related facilities for which an appropriation is made by this act or by the Budget Act of 1961, payable from the State Construction Program Fund, to the University of California, or to a state college, with the result that the total amount required to be expended for that project from the state funds so appropriated is reduced, subject to the approval of the Director of Finance an amount of funds equal to the amount of the reduction in a project may be transferred from the appropriations of the Budget Act of 1961 or the appropriations contained in this act for use by the University of California, and an amount equal to the amount of the reduction in a project for a state college may be transferred for use by the state colleges, and are hereby appropriated for projects for academic and related facilities for the University of California or the state colleges as particularly described in the report submitted by the Department of Finance pursuant to Senate Resolution No. 15 of the 1954 First Extraordinary Session, entitled "Report on State Building Construction Programs," as revised March 7, 1962, as the State's contribution for any matching requirements for federal grants for any one or more of the projects for academic and related facilities for institutions of higher education which are approved by the federal government for a federal grant.

Provided that no amount of money payable from the State Construction Program Fund may be transferred and appropriated for projects described in the "Report on State Building Construction Programs" as revised March 7, 1962, unless federal grant money, as described in this item, is available after full consideration has been given to projects contained in this act or in the Budget Act of 1961.

The total amount so transferred and appropriated under this item shall not exceed twenty million dollars (\$20,000,000).

LOCAL ASSISTANCE SECTION

SEC. 2.3. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1962-63 fiscal year beginning July 1, 1962, and ending June 30, 1963. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purposes to the extent only of the amount herein appropriated, unless otherwise stated herein, or authorized pursuant to Section 11006, Government Code.

Appropriations for purposes not otherwise provided for herein which have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby.

EDUCATION

Item	Amount
395—For support of child care centers, Department of Education, to be apportioned by the department in the manner provided by Section 11 of Chapter 1427, Statutes of 1953, as amended, directly to school districts maintaining child care centers pursuant to Sections 16601 through 16640 and Sections 16645.1 through 16645.27 of the Education Code -----	5,881,666
396—For transfer by State Controller to the Teachers' Retirement Fund for operation of the State Teachers' Retirement System -----	43,000,000
397—For publishing, purchasing and shipping free textbooks, Department of Education, in accordance with the following schedule -----	8,963,647
Schedule:	
(a) Salaries and Wages -----	97,274
(b) Operating Expenses and Equipment -----	8,911,373
Total of schedule -----	9,008,647
Less estimated reimbursements -----	45,000
Net appropriation -----	8,963,647

Item

Amount

provided that none of the moneys appropriated by this item may be expended for publishing, purchasing or shipping any textbook, which has been conditionally approved or adopted by the State Board of Education subject to the condition that revisions will be made in such textbook by the publisher, unless and until such revisions have been made to the complete satisfaction of said board.

Provided, that none of the funds appropriated for reprinting the textbook "People of Mexico" shall be expended until said textbook is revised to the satisfaction of the State Board of Education.

Provided, that none of this appropriation shall be available to finance contracts in respect to the new basic textbook adoptions set forth on pages 1024 and 1025 of the Governor's Budget for the 1962-63 fiscal year in which the total price, including sales and use tax, for any textbook submitted on a finished book basis exceeds by more than 13 percent the average of the three highest total prices for a competitive textbook submitted on the basis of leasing plates to the State or in which said total price for any such textbook exceeds by more than 13 percent the sum of the manufacturing cost of such textbook as estimated by the State Department of Finance, and the average royalty cost of the three highest priced competitive textbooks.

Provided, further that none of this appropriation shall be available to finance contracts in respect to the new supplementary textbook adoptions set forth on pages 1024 and 1025 of the Governor's Budget for the 1962-63 fiscal year in which the unit price, including sales and use tax, for any textbook submitted on a finished book basis exceeds the unit manufacturing cost of such textbook as estimated by the State Department of Finance, multiplied by the average of the ratios of the total computed unit cost of each other supplementary textbook submitted to the State on a leased plate basis for the same grade level to the unit manufacturing cost of each such other textbook, plus 13 percent of the unit manufacturing cost of the textbook which is offered on a finished book basis.

Item	Amount
<p>For the purposes of this item, three means all if fewer than three competitive textbooks are submitted on a leased plate basis and textbooks includes teachers' manuals or editions.</p> <p>The Department of Finance shall maintain a procedure which will indicate any cases in which the numbers and estimated costs of textbooks represented in printing orders placed during the budget year vary from the amounts contained in the budget schedule submitted by the Department of Education upon which this item of appropriation is based, and the Department of Finance shall unallot all amounts which are made available because of such differences. Upon presentation of need, the Department of Finance may reallot such funds as it finds necessary. It shall report all such actions to the Joint Legislative Budget Committee prior to August 1, 1963.</p>	
<p>398—For vocational education programs in public school districts conducted under the provisions of Sections 6251 through 6254 of the Education Code, Department of Education in accordance with the following schedule-----</p> <p>Schedule:</p> <p>(a) Payments to public school districts -----</p> <p style="text-align: right;">2,523,527</p> <p style="text-align: right;">Total of schedule----- 2,523,527</p> <p>Less estimated amounts available from other sources:</p> <p>(b) Federal grants -----</p> <p style="text-align: right;">2,293,256</p> <p style="text-align: right;">Net appropriation ----- 230,271</p>	230,271
<p>398.5—For tax relief grants to junior college districts pursuant to Chapter 17 (commencing with Section 20001) of Division 14 of the Education Code, Department of Education, to take effect on repeal of Section 3 of Chapter 2071 of the Statutes of 1959-----</p>	5,000,000
<p>398.6—For assistance to counties under the Local Agency Allocation Law for the construction of jails, State Allocations Board, payable from those funds in the State School Land Fund not dedicated to the support of the public schools under the provisions of Section 4 of Article IX of the Constitution-----</p>	350,000

Item

Amount

provided that no part of this appropriation shall be available for allocation to a county unless (1) it does not have a jail meeting minimum standards for jail construction promulgated by the Board of Corrections; (2) the total county assessed valuation of the property in the county is less than twenty-six million dollars (\$26,000,000), the ratio of county assessed value of that property to its market value exceeds 25 percent, and the county basic tax rate exceeds two dollars and eighty cents (\$2.80) for each \$100 assessed valuation, all as shown in the Annual Report of the Controller concerning financial transactions of the counties of California for the 1960-61 fiscal year.

If funds are allocated to a county under this item, the Controller shall transfer to the State School Land Fund each payment due to the county under Section 25761 of the Business and Professions Code, until there has been deducted from such payments an amount equal to the amount allocated to the county under this item, together with interest at a rate not to exceed $3\frac{1}{2}$ percent annually.

PUBLIC HEALTH

- | | | |
|------|--|-----------|
| 399— | For assistance to local agencies in the establishment and operation of mental health services, in accordance with the provisions of Division 8 of the Welfare and Institutions Code— | 2,800,000 |
| 400— | For assistance to counties, and cities and counties, to be expended for services to physically handicapped children, including children diagnosed as suffering from phenylketonuria in accordance with provisions of Sections 249 through 271 of the Health and Safety Code, Department of Public Health—
provided, that \$1,400,000 shall be for state-wide diagnoses; not to exceed \$50,000 shall be for state care of physically handicapped children whose county of residence cannot be established and the balance of this appropriation shall be made available to the several counties as follows:
(a) The State Department of Public Health shall allocate to each county and city and county an amount which, when added to the amount provided by the county or city and | 7,484,731 |

Item

Amount

county pursuant to Section 270 of the Health and Safety Code, shall equal three times the amount provided by the county or city and county pursuant to Section 270 of the Health and Safety Code, or shall equal the sum needed for the fiscal year as estimated by the State Department of Public Health and approved by the county or city and county not to exceed twenty thousand dollars (\$20,000), whichever is the greater.

(b) If the amount allocated to any county or city and county pursuant to subsection (a) when added to the sum provided by the county or city and county pursuant to Section 270 of the Health and Safety Code, is less than the sum needed for the fiscal year as estimated by the State Department of Public Health and approved by the county or city and county, the State Department of Public Health shall make available to the county or city and county an additional amount not to exceed twice any amount provided by the county or city and county in addition to that required by Section 270 of the Health and Safety Code.

(c) For the purpose of administration by independent counties there shall be allocated an amount equal to two-thirds of the expenditures for the local administration of each independent county's program, made in accordance with a budget approved by the Department of Public Health; provided, however, that such amount shall not exceed 6½ percent of the gross total expenditures for diagnosis and treatment by that county in the preceding fiscal year.

(d) No funds may be allocated to any county with a population of 200,000 or more as of the first day of the fiscal year specified in Section 2.3 of this act, unless such county is independently administering the program; provided, however, during the first six months of the first fiscal year in which any county is affected by this provision, and after notification to the Department of Public Health by a county that action is being taken to assume independent administration of the program, payments may continue to be made on behalf of such county by the State.

Item	Amount
(e) Expenditures made under this item to reimburse counties and cities and counties for the State's share of the cost of such services shall be charged to the fiscal year in which the county or city and county issues its warrant in payment of such services. Expenditures made under this item on behalf of counties or cities and counties for the cost of such services shall be charged to the year in which the warrant is issued by the State Controller.	
401—For assistance to counties, and cities and counties, for maintenance of tuberculosis sanatoria, Department of Public Health----- including an additional amount of two dollars and thirty cents (\$2.30) per patient-day in accordance with Sections 3300 and 3301 of the Health and Safety Code; and leasing of facilities in accordance with Section 3295 of the Health and Safety Code.	3,267,172
401.5—For additional assistance to counties, and cities and counties, for maintenance of tuberculosis sanatoria, Department of Public Health ----- for refunds to those unreimbursed counties affected by a department regulation deducting the sum paid by the State to the county for such care, which regulation was declared void by the court in County of Los Angeles vs. Department of Public Health, 158 CA 2d 425, and which court decision was held by the Attorney General to apply only to the county which brought the action so that those other affected counties were not given refunds for any period prior to the court decision of May 16, 1958. The money appropriated by this act shall be expended by the State Department of Public Health for payment to counties and cities and counties in accordance with the following schedule:	296,324
Schedule:	
(a) Alameda County -----	45,959
(b) Butte County -----	2,119
(c) Contra Costa County -----	8,615
(d) Imperial County -----	22,481
(e) Inyo County -----	130
(f) Kings County -----	4,369
(g) Madera County -----	37
(h) Merced County -----	268
(i) Monterey County -----	5,375

Item	Amount
(j) Orange County -----	29,271
(k) Riverside County -----	8,569
(l) Sacramento County -----	3,360
(m) San Bernardino County---	7,053
(n) San Diego County-----	115,301
(o) San Francisco County-----	2,621
(p) San Mateo County-----	7,404
(q) Santa Barbara County-----	8,702
(r) Santa Clara County-----	2,874
(s) Santa Cruz County-----	286
(t) Solano County -----	500
(u) Sonoma County -----	12,198
(v) Stanislaus County -----	611
(w) Tulare County -----	7,330
(x) Ventura County -----	891
Total of schedule-----	296,324
402—For assistance to counties by the establish- ment of local health services in accordance with Section 1157 of the Health and Safety Code, Department of Public Health-----	369,189
403—For assistance to cities, counties, local health agencies and local health districts for the establishment of minimum standards of per- sonnel, organization and administration of local health departments, in accordance with the provisions of Chapter 8, Part 2, Division 1 of the Health and Safety Code, Department of Public Health-----	4,109,164
404—For subsidies to local districts for research regarding the control of gnats as provided by Sections 2425 and 2426 of the Health and Safety Code, Department of Public Health--- provided, that the Department of Public Health shall not allocate any of the money appropriated by this item to a local district unless and until money equal to or in excess of the amount proposed to be allocated by the department to the local district shall be made available by the local district for expenditure for the purpose for which the allocation is to be made, to the end that any sums allocated by the department shall be matched by like or greater amounts from sources other than the State Treasury or funds of any agency which is a part of the executive department of the state government.	50,000

Item	Amount
405—For research, demonstrations and assistance to local agencies for reporting the incidence of mosquitoes as provided by Sections 2425 and 2426 of the Health and Safety Code, Department of Public Health-----	191,168
406—For assistance to local agencies for the treatment of physically handicapped minors by physical and occupational therapy to be provided in special schools and classes with assignment of therapists based on the number of children with cerebral palsy requiring therapy and that treatment be made available for other disabling conditions only on a "time available" basis, Department of Public Health. Of the amount herein appropriated there may be expended so much as may be necessary by the Department of Public Health to furnish therapeutic services in those areas where it deems the local agencies are unable or not ready to employ personnel directly -----	1,523,351
provided, that all therapists will be transferred to the employment of local agencies that operate independent programs by July 1, 1963, and to all local agencies by July 1, 1964.	
Provided, further that the number of positions authorized under this item shall be limited to 259.	
407—For assistance to cities, counties, cities and counties, and local hospital districts in the construction of hospital facilities, Department of Public Health, to be expended under provisions of the California Hospital Survey and Construction Act-----	11,054,064
and in addition thereto any amounts remaining unexpended on June 30, 1962, in the appropriation made by Item 398, Budget Act of 1961.	

PUBLIC WORKS

408—For expenditure in accordance with Sections 12570 through 12830 of the Water Code, for payment of, and for reimbursement for necessary advances made for, the cost of co-operation by the State, Department of Water Resources, in accordance with the following schedule -----	10,806,348
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Item

Amount

Schedule:

(a) San Bernardino County Flood Control District, Santa Ana River Basin Project, as authorized by Section 12679 of the Water Code -----	50,000
(b) Los Angeles County Flood Control District, Los Angeles River Watershed Project as authorized by Section 12688 of the Water Code---	1,006,000
(c) Los Angeles County Flood Control District, Los Angeles and San Gabriel Rivers and Ballona Creek Project, as authorized by Section 12682 of the Water Code---	8,196,000
(d) Ventura County Flood Control District, Santa Clara River Project, as authorized by Section 12673 of the Water Code -----	410,000
(e) Ventura County Flood Control District, Ventura River Basin Project, as authorized by Section 12671 of the Water Code -----	12,000
(f) Santa Barbara County, Santa Ynez River Watershed Protection Project, as authorized by Section 12690 of the Water Code -----	102,000
(g) City of Santa Cruz, San Lorenzo River Project, as authorized by Section 12704 of the Water Code-----	71,800
(h) Riverside County Flood Control and Water Conservation District, Santa Ana River Basin Project, as authorized by Section 12679 of the Water Code -----	152,548
(i) Sonoma County Flood Control and Water Conservation Districts, Russian River Project, as authorized by Section 12698 of the Water Code -----	60,000

Item	Amount
(j) San Joaquin County, Duck Creek Project, as authorized by Section 12750 of the Water Code -----	345,000
(k) San Bernardino County Flood Control District, City Creek Levee Project, as authorized by Section 12750 of the Water Code -----	6,000
(l) San Bernardino County Flood Control District, Quail Wash Levee Project, as authorized by Section 12750 of the Water Code -----	28,000
(m) Contra Costa County Flood Control and Water Conservation Districts, Rodeo Creek Project, as authorized by Section 12750 of the Water Code -----	70,000
(n) Contra Costa County Flood Control and Water Conservation Districts, Pinole Creek Project, as authorized by Section 12750 of the Water Code -----	297,000
Total of schedule -----	10,806,348
The appropriation made by this item shall remain available for expenditure until June 30, 1965.	
409—For expenditure in accordance with Sections 12850 through 12875 of the Water Code, for payment of, and for reimbursement for necessary advances made for the cost of co-operation by the State, for watershed protection and flood prevention projects as authorized by said sections, Department of Water Resources, in accordance with the following schedule -----	2,759,314
Schedule:	
(a) Adobe Creek Watershed Protection Project -----	91,000
(b) Walnut Creek Watershed Protection Project -----	502,074
(c) Escondido Creek Watershed Protection Project -----	147,000
(d) Buena Vista Creek Watershed Protection Project -----	179,800

Item	Amount
(e) San Gabriel River Watershed Protection Project-----	100,000
(f) Marsh-Kellogg Watershed Protection Project -----	482,800
(g) Ulatis Creek Watershed Protection Project-----	1,051,000
(h) Central Sonoma Project---	205,640
Total of schedule-----	2,759,314
<p>The appropriation made by this item shall remain available for expenditure until June 30, 1965. No expenditure shall be made until the local organizations give assurances that they will maintain and operate the projects after completion in such manner as will accomplish the purposes for which the projects were authorized and constructed and as may be required by the Secretary of Agriculture and the Department of Water Resources, and that the local organizations will hold and save the State of California free from damages or claims due to the construction, installation, or operation of the project.</p>	
<p>410—For land, easements and rights-of-way, including but not limited to, borrow pits, spoil areas and easements for levees, clearing, flood control works and flowage, necessary for the completion or operation of the following projects in the Sacramento and San Joaquin watersheds as authorized by Sections 12648 through 12654 and Section 12656.5 of the Water Code; for the construction costs in lieu thereof as authorized by Section 8621 of the Water Code; and for advances to the federal government or payments to the federal government or others for incidental construction or reconstruction items which are an obligation of the State in connection with the completion or operation of the aforesaid projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, power lines, communication lines, pipelines, irrigation works and other structures and facilities and for appraisals, surveys and engineering studies incident thereto including determining the boundaries and appropriate assessments of the Lower San Joaquin River Levee District within the area benefited by the Lower San Joaquin River Flood Control Project, the Reclamation Board, in accordance with the following schedule -----</p>	5,894,000

Item

Amount

Schedule:

(a) Sacramento River Flood Control Project -----	945,816
(b) Lower San Joaquin River Flood Control Project -----	4,752,000
(c) Middle Creek Flood Control Project -----	5,000
(d) Calaveras River and Littlejohn Creek and Tributaries Project -----	156,184
(e) Sacramento River Flood Control Project — Chico Landing to Red Bluff -----	35,000

Total of schedule ----- 5,894,000

410.1—For expenditure for Sacramento River bank protection, in accordance with Sections 8617.1 and 12649.1 of the Water Code, the Reclamation Board ----- 270,000

provided, that expenditures under this item are subject to requirements as set forth in Chapter 2188, Statutes of 1961; and provided further, that the Reclamation Board shall not expend the funds appropriated to it under this item until a public agency other than the Reclamation Board has either assumed the obligations of maintenance and holding the United States harmless from damages due to the construction of works, directly with the United States, or has by binding agreement with the Reclamation Board agreed to assume obligations and to hold the State and Reclamation Board harmless from any claims therefor.

411—To pay the State's share of the cost of local participation required and to make advances to meet the federal share in connection with federal beach erosion control projects, in accordance with Sections 335 through 339 of the Water Code, Department of Water Resources, in accordance with the following schedule ---- 1,265,790

Schedule:

(a) Santa Cruz County, West Cliff Drive—State's share--	39,000
(b) Santa Cruz County, West Cliff Drive—advance for federal share-----	38,000
(c) Ventura County, Ventura County Harbor — State's share -----	20,000

Item	Amount
(d) Los Angeles County, Ca- brillo Beach—State's share	200,000
(e) Los Angeles County, Ca- brillo Beach — advance for federal share-----	200,000
(f) Orange County, Surfside — State's share-----	217,000
(g) Orange County, Surfside — advance for federal share----	179,000
(h) Santa Cruz County, Twin Lakes—State's share-----	50,000
(i) Santa Cruz County, Twin Lakes—advance for federal share -----	50,000
(j) Ventura County, Pierpont Bay—State's share -----	130,395
(k) Ventura County, Pierpont Bay—advance for federal share -----	130,395
(l) City of Capitola, Capitola Section—State's share -----	6,000
(m) City of Capitola, Capitola Section—advance for federal share -----	6,000
Total of schedule-----	1,265,790
412—For allocation and expenditure by the Pub- lic Utilities Commission to assist cities, coun- ties, and cities and counties in paying their share of the cost of constructing grade cross- ing protection works, in augmentation of Chapter 1302 of the Statutes of 1961, payable from the State Highway Fund-----	200,000
412.5—To the Division of Small Craft Harbors for the development and improvement of a small craft harbor at Martinez pursuant to Di- vision 5.7 (commencing with Section 5825) of the Public Resources Code, payable from the Small Craft Harbor Revolving Fund-----	450,000
412.6—For expenditure pursuant to contract with Noyo Harbor District pursuant to Sections 5823.5 and 5882 of the Public Resources Code for the construction of a harbor of refuge at Noyo Harbor in co-operation with the federal government, Division of Small Craft Harbors, Department of Parks and Recreation, payable from the Small Craft Harbor Revolving Fund	325,000

SOCIAL WELFARE

Item	Amount
<p>413—For the cost of local projects in the administration of public assistance, for in-service training and for scholarship or educational leave stipends to increase the supply of trained public assistance personnel for county welfare departments, to be expended in accordance with the provisions of Section 119 and Sections 400 through 404 of the Welfare and Institutions Code, Department of Social Welfare -----</p> <p>and in addition any amounts received for this purpose from the federal government shall be available for expenditure in accordance with the provisions of this item.</p>	721,000
<p>414—For grants to local public agencies pursuant to contracts with said agencies for the promotion and development of activities in behalf of aged persons, to be expended in accordance with the provisions of Chapter 5, Division 3, Welfare and Institutions Code, Department of Social Welfare -----</p>	150,000
<p>415—For reimbursement of expenses incurred by counties and cities in maintaining approved services for the licensing and inspection of agencies for child care and home finding, and agencies for the care of the aged, Department of Social Welfare, to be expended in accordance with the provisions of Sections 1622 and 2302 of the Welfare and Institutions Code -----</p> <p>provided, that all or any portion of this appropriation may be transferred to Item 253 for support of Department of Social Welfare, upon executive order of the Department of Finance.</p>	1,491,840
<p>416—For reimbursement to counties for the cost of the adoption programs and care of children, Department of Social Welfare, to be expended in accordance with the provisions of Sections 1640 through 1644 of the Welfare and Institutions Code -----</p> <p>provided, that all or any portion of this appropriation may be transferred to Item 253 for support of Department of Social Welfare, upon executive order of the Department of Finance.</p>	4,079,047
OTHER PURPOSES	
<p>417—For State's share of salaries of judges of superior courts as provided by Section 68206 of the Government Code -----</p>	3,952,000

Item	Amount
418—For contributions to counties toward the compensation and expenses of county service officers, Department of Veterans Affairs, to be expended in accordance with Section 972 of the Military and Veterans Code-----	500,000
419—For salaries of county agricultural commissioners or compensation for services performed for county agricultural departments, Department of Agriculture, to be expended in accordance with the provisions of Section 63.5 of the Agricultural Code-----	176,100
420—For furnishing of workmen's compensation to disaster service workers and their dependents in accordance with the provisions of Sections 3201 through 6002 of the Labor Code, including the reimbursing of the State Compensation Insurance Fund for the cost of services as adjusting agent, Governor's office, State Disaster Office ----- The State Compensation Insurance Fund may draw from the State Treasury out of the appropriation made by this item, without at the time presenting vouchers and itemized statements, any portion of the appropriation contained in this item, to be used as a cash revolving fund. Expenditures made from the revolving fund in payment of claims for workmen's compensation and adjusting services are excepted from the operation of Section 603 of the Government Code. Reimbursement of the revolving fund for such expenditures shall be made upon presentation to the State Controller of an abstract or statement of such expenditures. Such abstract or statement shall be in such form as the State Controller requires.	50,000
421—For reimbursements to counties for maintenance of juvenile homes and camps, Department of the Youth Authority, to be expended in accordance with the provisions of Sections 880 through 890 of the Welfare and Institutions Code -----	2,543,230

Item	Amount
422—For payment of the State's share, as determined by the Department of Finance, of expenses incurred by local agencies in supervising and controlling juveniles as defined by Sections 600 to 607, inclusive, Welfare and Institutions Code, at the International Border between California and Mexico, pursuant to Section 1760 (d) of said code, Department of the Youth Authority -----	27,000
424—For grants to soil conservation districts, Division of Soil Conservation, Department of Conservation -----	100,000

APPENDIX

SEC. 3. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1962-63 fiscal year beginning July 1, 1962, and ending June 30, 1963. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purposes to the extent only of the amount herein appropriated, unless otherwise stated herein, or authorized pursuant to Section 11006, Government Code.

Appropriations for purposes not otherwise provided for herein which have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby.

Item	Amount
425—For acquisition subject to the Property Acquisition Law, and development of parking facilities in the City of San Diego, under the provisions of the State Building Construction Act of 1955 (commencing at Section 15800 of the Government Code), State Public Works Board, payable without regard to fiscal years from the Public Buildings Construction Fund	950,000
425.5—For construction and equipment of an office building in the City of San Bernardino, under the provisions of the State Building Construction Act of 1955 (commencing at Section 15800 of the Government Code), State	

Item	Amount
Public Works Board, payable without regard to fiscal years from the Public Building Construction Fund which amount is in addition to that appropriation made by Item 462, Budget Act of 1958 -----	1,114,000
425.7—For acquisition subject to the Property Acquisition Law and development of parking facilities in the City of Sacramento, under the provisions of the State Building Construction Act of 1955 (commencing at Section 15800 of the Government Code), State Public Works Board, payable without regard to fiscal years from the Public Buildings Construction Fund -----	500,000

UNEMPLOYMENT ADMINISTRATION

426—For administration of unemployment compensation disability benefits, Department of Employment, payable from the Unemployment Compensation Disability Fund, in accordance with the following schedule-----	8,803,428
Schedule:	
(a) Salaries and Wages-----	6,660,862
(b) Operating Expenses and Equipment -----	2,142,566
Total of schedule-----	8,803,428
427—For additional support of the Department of Employment, payable from the Department of Employment Contingent Fund, and in addition thereto any grants made available by the federal government; provided, that all or any portion of this appropriation may be transferred to the Unemployment Administration Fund upon executive order of the Department of Finance-----	246,789
428—For additional support of Department of Employment for the payment of expenses incurred by the Department of Finance in examining and experting the books of the Department of Employment pursuant to Section 13294 of the Government Code, payable from moneys credited to this State's account in the Unemployment Trust Fund and made available to this State under Section 903 of the Social Security Act, as amended-----	22,700
provided that:	
(a) Such money is requisitioned from the Unemployment Trust Fund pursuant	

Item

Amount

- to Section 1528.5 of the Unemployment Insurance Code.
- (b) The period within which such money may be obligated is specifically limited to the period beginning July 1, 1962 and ending June 30, 1963.
 - (c) The total amount obligated pursuant to this item and Item 321 of this act during the fiscal year 1962-63 shall not exceed the amount by which
 - (1) The aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act during such fiscal year and the four preceding fiscal years, exceeds
 - (2) The aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five fiscal years.

SEC. 4. There has been included in the applicable items of appropriation in this act for the support of the several state offices, departments, boards, bureaus, commissions, and other state agencies, amounts from the General Fund and the various special funds sufficient to continue in effect for the 1962-63 fiscal year the increases in salaries paid to state officers whose salaries are specified by statute for which funds were made available by Item 276 of the Budget Act of 1959 and Item 275 of the Budget Act of 1960, pursuant to Section 11570 of the Government Code.

SEC. 4.1. Funds appropriated by this act for the support of any department, facility, unit or function within the Health and Welfare Agency, the Youth and Adult Corrections Agency, the Highway Transportation Agency and the Resources Agency are hereby made available, upon order of and as determined by the Director of Finance, for support of the administrator of the agency in which any such department, facility, unit or function is located.

SEC. 4.3. Notwithstanding any other provision of law, for the 1962-63 fiscal year the transfers of funds authorized by Sections 20782, 20783 and 20784 of the Government Code shall be made to the Old Age and Survivors Insurance Revolving Fund from the State Employees' Retirement Fund, and the amounts of such transfers appropriated by Section 20785 of the Government Code shall be paid to the Old Age

and Survivors Insurance Revolving Fund from the State Employees' Retirement Fund and shall be charged in the accounts of the State Employees' Retirement System to the State's accumulated contributions for current service.

SEC. 4.5. Subject to the provisions of this act, any appropriation for expenditure under this act during the 1962-63 fiscal year, may, with the approval of the Director of Finance, be encumbered prior to July 1, 1962, by incurring obligations to be paid after June 30, 1962.

SEC. 5. Because it is necessary to insure the availability of adequate equipment for physical facilities constructed for the operation of custodial, mental health, educational, administrative, military, and other agencies of the state government; because uncertainties as to completion dates make precise advance planning of equipment purchases impossible; and since delivery of some kinds of equipment cannot be made for six months or longer from the date of ordering; state agencies are therefore authorized to incur obligations, to be met during the 1963-64 fiscal year, for the purchase of equipment related to capital outlay projects for which the Legislature has appropriated construction funds; provided, that no obligation shall be incurred under the provisions of this section without the approval of the Department of Finance and the State Public Works Board. Purchase orders issued and contracts entered into under the provisions of this section shall not exceed a total of \$1,000,000 in estimated cost.

SEC. 6. Any project, except minor projects, included in any appropriation made herein for capital outlay shall be subject to the provisions of Section 15790 of the Government Code.

SEC. 7. Any acquisition of land or other real property included in any appropriation made herein for capital outlay except appropriations from the California Water Fund shall be subject to the provisions of the Property Acquisition Law.

Nothing contained in this section shall be construed to limit or control the Regents of the University of California in the expenditure of funds appropriated for acquisition of land or other real property for the use, development or enlargement of the University of California.

All property acquisitions, notwithstanding other exemptions of this section, shall be reported to the Public Works Board.

The following provisions shall apply with respect to Item 321, Section 2.1, of this act:

(a) The net proceeds of any sale pursuant to Section 15862 of the Government Code and any net rentals received by the Department of Finance pursuant to Section 15862 of the Government Code shall be deposited in the Unemployment Trust Fund.

(b) Sections 15865 and 15866 of the Government Code shall not apply.

(c) In case of any conflict between the Property Acquisition Law and Section 903 of the Social Security Act, as amended, the provisions of Section 903 of the Social Security Act, as amended, shall prevail.

SEC. 8. No money appropriated herein in any item for capital outlay may be expended by any state agency except amounts for acquisition of land or other real property, amount needed for equipment, preliminary surveys, studies and planning and minor projects until the State Public Works Board and the Department of Finance have approved preliminary plans for the project to be financed from such time of appropriation for capital outlay; provided further, no major project for which appropriation is made hereunder regarding which the Director of Finance or his authorized representative requests review of working plans shall be put out to bid until the working plans therefor have been approved by the Department of Finance; provided further, that no money appropriated herein may be spent for working drawings for any project as to which there has been made substantial change or changes from the preliminary plans as approved by the State Public Works Board and the Department of Finance unless there has first been obtained the approval of the Department of Finance to make such change or changes; provided further, that no money appropriated herein may be spent for equipment until prior approval for purchase of such equipment shall have been given by the Department of Finance.

Nothing in this section shall be construed to limit or control the Regents of the University of California in the expenditure of funds appropriated for capital outlay for the use, development or enlargement of the University of California.

The Regents of the University of California shall report to the Public Works Board the expenditures for capital outlay, except minor projects, from appropriations contained in this act.

Sec. 9. Notwithstanding any other provision of law, the portion of each sum of money heretofore appropriated or allocated, hereby appropriated or hereafter allocated to the Regents of the University of California for capital outlay which remains after the purpose for which each said sum was appropriated or allocated has been accomplished, and which have been or hereafter are withdrawn from the State Treasury by the Regents of the University of California pursuant to the provisions of Section 23201 of the Education Code, together with increments, by way of interest or otherwise, on any such appropriation or allocations, shall be used and expended by the Regents of the University of California in executing and furthering the building and improvement program of the University of California; provided, that no such sums shall be allocated by the Regents of the University of California to projects not otherwise authorized by legislative

appropriation or by allocation by the State Public Works Board. Such sums shall be available for expenditure in payment of any encumbrances heretofore or hereafter incurred without regard to fiscal years; provided, however, that any unencumbered balances existing as of the date on which each such appropriation or allocation otherwise would lapse, shall then revert.

A report shall be submitted to the State Public Works Board of any allocations made by the Regents of the University of California pursuant to the provisions of this section.

SEC. 10. Notwithstanding any other provisions of law, the unexpended balances, on the effective date of this act, of the appropriations provided in the following citations, are reappropriated for the purposes provided for in said appropriations, and shall be available for expenditure until June 30, 1963:

Department of Corrections:

Northern California Conservation Center, Item 292.2, Budget Act of 1959

State Prison at San Quentin, Item 288, Budget Act of 1959
California Men's Colony, Item 278, Budget Act of 1958

Department of the Youth Authority:

Ventura School for Girls, Item 311 (b), Budget Act of 1958
Construction of Juvenile Homes and Camps, Item 382, Budget Act of 1960

Department of Education:

School for Cerebral Palsied Children, Southern California, Item 339, Budget Act of 1959

University of California:

Item 362, Budget Act of 1958
Item 363 (a), Budget Act of 1958
Item 363 (b), Budget Act of 1958
Item 363 (d), Budget Act of 1958
Item 363 (s), Budget Act of 1958
Item 363 (u), Budget Act of 1958
Item 363 (w), Budget Act of 1958
Item 363 (y), Budget Act of 1958
Item 364 (m), Budget Act of 1958
Item 340 (f), Budget Act of 1959
Item 341 (a), Budget Act of 1959
Item 341 (g), Budget Act of 1959
Item 341 (i), Budget Act of 1959
Item 341 (j), Budget Act of 1959
Item 341 (m), Budget Act of 1959
Item 341 (q), Budget Act of 1959
Item 341 (r), Budget Act of 1959
Item 341 (x), Budget Act of 1959
Item 341 (aa), Budget Act of 1959
Item 341 (bb), Budget Act of 1959
Item 341 (dd), Budget Act of 1959
Item 341 (ee), Budget Act of 1959
Item 341 (ff), Budget Act of 1959

Item 341 (gg), Budget Act of 1959
Item 341 (hh), Budget Act of 1959
Item 341 (jj), Budget Act of 1959
Item 341 (ll), Budget Act of 1959
Item 341 (mm), Budget Act of 1959
Item 341.1, Budget Act of 1959

State College System :

Chico State College, Item 311 (b), Budget Act of 1959
Chico State College, Item 311 (g), Budget Act of 1959
Chico State College, Item 317 (a), Budget Act of 1959
Fresno State College, Item 314 (c), Budget Act of 1959
Fresno State College, Item 314.5, Budget Act of 1959
Humboldt State College, Item 317 (f), Budget Act of 1959
Long Beach State College, Item 318 (a), Budget Act of 1959
Long Beach State College, Item 319 (d), Budget Act of 1959
Sacramento State College, Item 322 (a), Budget Act of 1959
Sacramento State College, Item 323 (d), Budget Act of 1959
San Diego State College, Item 325 (g), Budget Act of 1959
San Jose State College, Item 331 (f), Budget Act of 1959
California State Polytechnic College, Item 341, Budget Act of 1957
California State Polytechnic College, Item 333 (f), Budget Act of 1959
California State Polytechnic College, Item 333 (g), Budget Act of 1959

Department of Finance :

Item 359, Budget Act of 1957
Section 19.4, Budget Act of 1961

Sixth District Agricultural Association :

Item 361.1, Budget Act of 1956
Item 361.2, Budget Act of 1956
Item 372, Budget Act of 1958

Department of the California Highway Patrol :

Item 347 (a), Budget Act of 1959
Item 347 (c), Budget Act of 1959

Department of Motor Vehicles :

Item 375, Budget Act of 1959
Item 409, Budget Act of 1958
Item 399, Budget Act of 1957

Division of Forestry :

Item 390 (2c), Budget Act of 1955
Item 408 (a), Budget Act of 1956
Item 408 (d), Budget Act of 1956
Item 407 (c), Budget Act of 1957
Item 418, Budget Act of 1958
Item 420 (d), Budget Act of 1958
Item 378 (a), Budget Act of 1959
Item 379 (a), Budget Act of 1959

Division of Beaches and Parks :

Item 400 (s), Budget Act of 1956, as amended by Section 13, Budget Act of 1961
Item 400 (x), Budget Act of 1956

Item 400 (qqq), Budget Act of 1956
Item 400.1 (h), Budget Act of 1956
Item 400.1 (pp), Budget Act of 1956
Item 400.1 (rr), Budget Act of 1956
Item 400.1 (vv), Budget Act of 1956
Item 400.2, Budget Act of 1956
Item 173 (a), (b), (c) and (e), Budget Act of 1960
Section 1(4) and 1(8), Chapter 2169, Statutes of 1957
Chapter 2386, Statutes of 1957

Department of Public Works:

Item 402.2, Budget Act of 1961

Department of Water Resources:

Item 371 (k), Budget Act of 1960

Item 405.1, Budget Act of 1959

Item 406, Budget Act of 1959

Item 401, Budget Act of 1961

Chapter 1620, Statutes of 1961

SEC. 10.5. The appropriation made by Item 324 (a), Chapter 11, Budget Act of 1960—Construct atomic energy building, \$200,000, is hereby reappropriated, provided, that Item (a) of this appropriation shall be available only upon the condition that matching private and/or federal funds will be available to finance the installation of the atomic energy exhibit.

SEC. 11. The unexpended balances on the effective date of this act, of the appropriations made by Item 279, Budget Act of 1961, and Item 274, Budget Act of 1959 as reappropriated by Item 271, Budget Act of 1960, are hereby reappropriated for augmentation of the Service Revolving Fund, during the 1962-63 fiscal year, to be transferred by the State Controller in such amounts and for such periods as the Department of Finance may authorize, provided, that any portion of these balances may be used for purchase of equipment for the Printing Division.

SEC. 12. The unexpended balance on the effective date of this act of the appropriation contained in Item 349.5, Budget Act of 1961, is hereby reappropriated for capital outlay for the California Rehabilitation Center, Department of Corrections, payable from the State Construction Program Fund, and the amount shall be available for expenditure until June 30, 1964, without regard to the limitations of a schedule.

SEC. 13. The unexpended balance, on the effective date of this act, of the appropriation made by the provisions of Chapter 2024, Statutes of 1959, are reappropriated for the same purposes provided for in said act, and in addition the appropriation shall be available for development. The unexpended balance as set forth in Schedule (2) shall be reduced by \$50,000 and the amount of \$50,000 shall be added as Schedule (2a) for development at Humboldt Redwoods State Park.

SEC. 13.5. The unexpended balance, on the effective date of this act, of the appropriation made by Item 364(a), Budget Act of 1961, is hereby reappropriated for the purposes provided in said appropriation, and in addition, shall be available for the purchase and installation of boiler plant equipment.

SEC. 13.6. The appropriation made by Item 446.7, Budget Act of 1958, as amended by Section 12, Budget Act of 1960, is hereby reappropriated for the purposes provided for in said appropriations, and in addition shall be available for expenditure, without regard to fiscal year, for the purposes provided for in the Emergency Flood Relief Law (Article VI (commencing at Section 54150), Chapter 5, Part 1, Division 2, Title 5, Government Code); provided, that the damage or destruction by storm and flood or flood conditions for which this appropriation shall be available has occurred between November 1, 1961, and June 30, 1962, and the local agency has applied to the Department of Finance for an allocation of funds on or before October 1, 1962.

SEC. 13.7. The unexpended balance of the appropriation made by Item 316(g)(9), Budget Act of 1961 is hereby reappropriated for the same purpose; and in addition shall be available for paving property at the rear of the Employment Building in Salinas.

SEC. 14. On June 30, 1962, the unexpended balance of the appropriation made by the provisions of Section 16409 of the Government Code shall revert to the unappropriated balance of the General Fund. On July 1, 1962, \$5,000,000 shall be appropriated from the General Fund to be expended in accordance with, and in augmentation of the provisions of Section 16409 of the Government Code.

The unexpended balance of the appropriation made by the provisions of Section 16409 of the Government Code shall revert to the unappropriated balance of the General Fund on June 30, 1963.

SEC. 14.5. On the effective date of this act, \$34,000 of the unexpended balance of the appropriation made by Item 303(g), Budget Act of 1960, shall revert to the unappropriated balance of the General Fund.

SEC. 15. On June 30, 1962, the unexpended balances of that part of the appropriation made by Item 344(a) and 344(b) of the Budget Act of 1959 shall revert to the unappropriated balance of the State Construction Program Fund.

SEC. 16. On June 30, 1962, the unexpended balance of the appropriation made by Item 343 of the Budget Act of 1960, shall revert to the unappropriated balance of the General Fund.

SEC. 17. On June 30, 1963, the unexpended balance of the continuing appropriation made by Section 6816.3, Public Resources Code, shall revert to the unappropriated balance of the General Fund.

SEC. 17.5. The unexpended balance, on the effective date of this act, of the appropriation made by Chapter 2142, Statutes of 1961, shall revert to the State Highway Fund, and \$50,000 of this amount is reappropriated to the Department of Public Works for the purpose of preparing a prospectus covering the scope and the objectives of a comprehensive transportation study of the nine counties adjoining San Francisco Bay.

SEC. 18. On June 30, 1963, the unexpended balance of the appropriation made by Item 399 of the Budget Act of 1961, shall revert to the unappropriated balance of the General Fund.

SEC. 18.5. Notwithstanding any other provisions of this act, the Director of Finance may from time to time direct that any appropriation made in Section 2.2 of this act shall be payable from the General Fund instead of the State Construction Program Fund.

SEC. 19. On or before September 30, 1962, the State Controller shall transfer to the General Fund any amount of surplus and working capital advances in the Service Revolving Fund for the Printing Division which totals in excess of \$5,290,000 as of June 30, 1962.

No machinery or equipment shall be purchased by or for the Printing Division except as provided for in this act and for emergency replacements which shall be reported to the Joint Legislative Budget Committee quarterly.

No augmentation shall be made to the capital of the Service Revolving Fund for the benefit of the Printing Division during the 1962-63 fiscal year except as specifically provided for in this act.

Any proposed capital addition to the Service Revolving Fund for the benefit of the Printing Division for the 1963-64 fiscal year shall be included in the proposed budget for that fiscal year as an appropriation out of the General Fund.

SEC. 20. No money appropriated by this act shall be used to pay the salary of any authorized state position, which position was vacant and had been vacant or continuously unfilled during the period between October 1, 1961, and July 1, 1962, except with the specific approval of the Department of Finance, subsequent to July 1, 1962.

The Department of Finance, not later than 30 days prior to the convening of the 1963 Regular Session of the Legislature, shall furnish the Joint Legislative Budget Committee, a report of all positions as of July 1, 1962, which were vacant or continuously unfilled during the period between October 1, 1961, and July 1, 1962, and a report of all authorizations to fill vacant positions and all positions abolished pursuant to this section.

SEC. 21. Since it is imperative for the university and the state colleges to recruit adequate and competent faculty necessary to maintain the current academic standards and the faculty-student ratios and to meet the immediately foreseeable

needs occasioned by the rapid growth of enrollment during the years just ahead, and since, by the nature of their duties, faculty members must as a rule be employed on an annual basis, therefore, the University of California and the state colleges are authorized to incur salary obligations in an amount not to exceed \$1,500,000 for the university and a total of \$1,500,000 for the state colleges by appointment of additional academic staff members during the 1962-63 fiscal year for services beginning in the 1963-64 fiscal year.

The intent of this authorization is to assist in maintaining current academic standards and faculty-student ratios in relationship to expanding student enrollments.

SEC. 22. No purchase order for acquisition or replacement of motor vehicles shall be issued against any appropriation made herein until the Department of Finance has investigated and established the necessity therefor.

All passenger type motor vehicles purchased from any appropriation made by this act for the use of state employees and officers, except constitutional officers, shall be of the light class, as defined by the State Board of Control, unless excepted by the Director of Finance on the basis of unusual requirements, such as use by the California Highway Patrol, which would justify the need for an automobile of a heavier class.

SEC. 23. All passenger type motor vehicles purchased either from any appropriation made by this act or from any other appropriation available therefor for the use of the Department of Public Works, except for use of officers excepted in Section 22 of this act, shall be of the light class, as defined by the State Board of Control, unless excepted by the Director of Finance on the basis of unusual requirements which would justify the need for an automobile of a heavier class.

SEC. 24. None of the moneys appropriated by this act or for an expenditure which is supplemented from money appropriated by this act shall be used to purchase furnishings for any house or apartment of three or more rooms other than a dormitory which is rented to a state employee except for a superintendent of an institution, warden of a prison, or physicians. This provision shall not apply to the purchase of refrigerators, heaters, air-conditioning equipment, stoves, linoleum, or equipment normally furnished in construction of the house as may be determined by the State Board of Control. Any such funds that are appropriated by this act for this purpose shall be held intact and be reverted to the fund from which they were appropriated. It is the intent of the Legislature that no money shall be appropriated henceforth for the purpose of house furnishings. Such furnishings are not to be provided by the State nor shall any money be paid from this appropriation for their replacement, repair or otherwise except in connection with the disposal of the same.

SEC. 25. No moneys appropriated by this act shall be used, either directly or by supplementing any other appropriation, to purchase rugs or carpets for any state office except for offices

used by elective officers and other department heads. The Director of Finance shall furnish a detailed report annually to the Joint Legislative Budget Committee of all rugs or carpets purchased for state offices under this section.

SEC. 26. Whenever herein an appropriation is made for support it shall include salaries and all other proper expenses, including repairs and equipment, incurred in connection with the institution, department, board, bureau, commission, officer, employee, or other agency, for which such appropriation is made.

Whenever herein an appropriation is made for capital outlay, it shall include acquisition of land or other real property, major construction, improvements, equipment, designs, working plans, specifications, repairs and equipment necessary in connection with a construction or improvement project.

Whenever herein any item of appropriation contains provision for acquisition of land or other real property, it shall include all necessary expenses in connection with the acquisition of such property.

Whenever appropriation is made in accordance with a schedule set forth after such appropriation, the expenditures from such item for each category or project included in the schedule shall be limited to the amount specified for such category or project, except as otherwise provided in this act. Each such schedule is a restriction or limitation upon the expenditure of the respective appropriation made by this act, does not itself appropriate any money, and is not itself an item of appropriation.

As used in this act in reference to such schedules "category" or "project" means a class of expenditures such as, but not limited to:

(a) "Salaries and wages" which shall include all expenditures for payment of officers and employees of the State but do not include compensation of independent contractors rendering personal services to the State under contract;

(b) "Operating expenses and equipment" which shall include all expenditures for purchase of materials, supplies, equipment, services (other than services of state officers and employees), and all other proper expenses;

(c) "Construct" or "construction" when used in connection with a capital outlay project shall include all such related things as fixtures, installed equipment, and auxiliary facilities;

(d) "Working drawings" are defined as a complete set of plans and specifications showing and describing all phases of a project, architectural, structural, mechanical, electrical, civil engineering, and landscaping systems to the degree necessary for the purposes of accurate bidding by contractors and for the use of artisans in constructing the project. All necessary professional fees and administrative service costs are included in the preparation of such drawings.

(e) "Minor projects" include construction, improvements, repairs and equipment projects not specifically set forth in the schedule.

For the purpose of further interpreting the meaning of the words, terms and phrases used in such schedules, reference is hereby made to that document entitled, "State of California Budget for the fiscal year July 1, 1962, to June 30, 1963," submitted by the Governor to the Legislature at the 1962 Regular Session, the uniform accounting system prescribed by the Department of Finance under the provisions of Section 13290 of the Government Code, and the appropriate portions thereof. The State Board of Control shall establish such interpretations as are necessary to carry out the provisions of this section and shall furnish the same to the State Controller and to every state agency to whom appropriations are made under this act.

SEC. 27. The Director of Finance may, pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to whom an appropriation is made herein, authorize the augmentation of the amount available for expenditure for a category or project designated in any schedule set forth for such appropriation by transfer from any of the other designated categories or projects within the same schedule. The Director of Finance shall furnish the Joint Legislative Budget Committee a report on all authorizations given pursuant to this section during the preceding quarter.

SEC. 28. The Director of Finance may authorize the augmentation of the amount available for expenditure for any category in the schedule set forth for any appropriation in this act or any additional category in the amount of any funds which he estimates will be received by an officer, department, division, bureau, or other agency during the 1962-63 fiscal year from any other state agency, from any agency of local government or the federal government, from any appropriation made by the Legislature or from any other source which he determines has not been taken into consideration in said schedule, or is in excess of the amount so taken into consideration.

The Director of Finance may also reduce any category whenever he determines that funds to be received will be less than the amount taken into consideration in the schedule.

SEC. 29. Premiums for official bonds may be paid out of appropriations contained in this act, notwithstanding the period covered by such bonds.

SEC. 30. Whenever an expenditure is authorized from the Emergency Fund, from Price Increase Funds, from the Salary Increase Funds, or from a special fund pursuant to Section 11006 of the Government Code, in addition to an appropriation made by this act, such authorized expenditures may, for accounting purposes, be deemed to be an augmentation and increase of the appropriation made by this act.

SEC. 31. The appropriations under this act, unless otherwise provided, shall be subject to the provisions of Section 13320 of the Government Code requiring expenditures to be made in accordance with the allotments and other provisions of fiscal year budgets approved by the Department of Finance.

The fiscal year budget shall authorize in such manner as the Department of Finance shall prescribe all established positions whose continuance for the year is approved and all new positions. No new positions or change in grade or class of an existing position shall be established unless authorized by the Department of Finance on the basis of work program and organization.

Each fiscal year budget shall provide for a salary savings reserve to which shall be transferred on a document initiated by the agency and submitted to the Department of Finance the unencumbered balance remaining in each allotment for salaries and wages at the close of each quarter or other period of time covered by the allotment. The unencumbered balance remaining in each budget allotment for salaries and wages shall be computed by deducting from the amount of the allotment the expenditures and accrued obligations for salaries and wages chargeable to such allotment for the period covered thereby. The amount in the salary savings reserve shall not be available for expenditure except upon transfer to allotments for salaries and wages approved by the Department of Finance. Such transfer shall be approved only after it has been demonstrated to the satisfaction of the Department of Finance that the allotment to be augmented is insufficient to meet necessary expenditures for salaries and wages.

No money in any salary savings reserve may be expended to pay increases in salary ranges established after July 1, 1962, unless the Department of Finance certifies to the State Personnel Board, or other salary-fixing authority, prior to the adoption of such increased salary range that funds will be made available to pay the increased salaries resulting therefrom.

A certification on a payroll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the State Controller that such expenditures comply with the provisions of this section.

SEC. 31.2. Notwithstanding any other provision of this act, the Department of Finance, acting pursuant to its authority under Section 13320 of the Government Code and Section 31 of this act, shall control expenditures under this act in such a manner as to accumulate the sum of eight million dollars (\$8,000,000) in undistributed savings at the end of the 1962-63 fiscal year.

SEC. 31.5. All appropriations under this act for the support of the state colleges and the Trustees of the State College System shall be subject to the provisions of Section 13320 of

the Government Code and Section 31 of this act, with the following exceptions: The Trustees of the State College System may approve any transfer of funds within the major budgetary functions of administration, instruction, plant operation, agriculture, off-campus centers, summer session, extension, special projects, and reimbursements, as provided in fiscal year budgets of the state colleges approved by the Department of Finance; provided, that no transfers between the categories of salaries and wages, operating expenses and equipment shall be made without the approval of the Director of Finance. In addition, the trustees may approve the substitution of one item of equipment for another within such aforementioned budgetary functions and the use of savings in equipment allotments, and may approve travel, both within and outside the State, and the payment of allowances and expenses related to travel, moving and the relocation of employees in accordance with the allowances established by the Board of Control and within funds appropriated by this act for this purpose.

Subject to the foregoing, the trustees may approve adjustments in programs, within appropriations as adjusted for changes in enrollments approved by the Director of Finance.

Any transfers of funds, substitution of items of equipment, use of equipment savings, or approval of travel, moving or relocation allowances made under provision of this section shall be reported to the Director of Finance at such times and on forms prescribed by him.

SEC. 32. The officers of the various departments, boards, commissions and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditures in excess of such appropriations, except the consent of the Department of Finance be first obtained, and a certificate, in writing, duly signed by the director of said department, of the unavoidable necessity of such expenditure; and any indebtedness attempted to be created against the State in violation of the provisions of this section shall be absolutely null and void; and shall not be allowed by the State Controller nor paid out of any state appropriation. Any member of any such department, board, commission or institution, who shall vote for any expenditure, or create any indebtedness against the State in excess of the respective appropriations made by this act, except by the consent of the Department of Finance and the certificate in this section provided to be first obtained, shall be liable on his official bond for the amount of such indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm or corporation to whom such indebtedness is owing.

SEC. 33. If any item of appropriation in this act is vetoed, eliminated or reduced by the Governor under Sections 16 and 34 of Article IV of the Constitution while approving portions of this act, such veto, elimination or reduction shall not affect the other portions of this act and these other portions of this

act, so approved, shall have the same effect in law as if any vetoed or eliminated items of appropriation had not been present in this act and as if any reduced item of appropriation had not been reduced.

SEC. 34. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 35. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately.

SEC. 36. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There exists an extreme shortage of physical facilities for the operation of the custodial, mental treatment, educational, administrative, military and other agencies of the state government, the present facilities being entirely inadequate due to great increases in population and added governmental responsibilities. The capital outlay appropriations in this budget are all in continuation of an existing program to remedy the aforesaid shortage of facilities and to promote and sustain the economy of the State. If they are not available for expenditure on July 1, 1962, the existing program will be delayed. The expeditious correction of such condition and the efficient operation of the State's business required the immediate availability of the new capital outlay appropriation and the uninterrupted availability of reappropriated capital outlay items contained in this measure. It is therefore necessary that this act go into immediate effect.

CONCURRENT RESOLUTIONS

SECOND EXTRAORDINARY SESSION

1962

CONCURRENT RESOLUTIONS

ADOPTED AT THE 1962 SECOND EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

Assembly Concurrent Resolution No. 1—Relative to Morro Bay State Park.

[Filed with Secretary of State April 13, 1962.]

WHEREAS, The Division of Beaches and Parks has operated Morro Bay State Park successfully and efficiently in the best interests of the public welfare and to the satisfaction of the users thereof; and

WHEREAS, Certain changes in the operation of the park have been suggested which are not deemed by the Legislature to be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby commends and congratulates the Division of Beaches and Parks on its administration and operation of Morro Bay State Park and requests that such administration and operation policies continue unchanged; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Division of Beaches and Parks.

CHAPTER 2

Senate Concurrent Resolution No. 2—Relative to final adjournment of the 1962 Second Extraordinary Session of the Legislature.

[Filed with Secretary of State April 16, 1962.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1962 Second Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 11 a.m. on the 13th day of April, 1962.

STATUTES OF CALIFORNIA

THIRD EXTRAORDINARY SESSION

1962

Began Tuesday, June 26, 1962, and Adjourned
Thursday, June 28, 1962

PROCLAMATION BY THE GOVERNOR
CONVENING THE LEGISLATURE IN THIRD EXTRAORDINARY SESSION

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session, now, therefore,

I, EDMUND G. BROWN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the twenty-sixth day of June, 1962, at 12 noon of said day for the following purpose and to legislate upon the following subject:

1. To consider and act upon legislation to propose to the people an act providing for the issuance of bonds to provide funds to meet the building construction, equipment and site acquisition needs of the University of California, California State Colleges, public junior colleges, facilities for the mentally ill and retarded, correctional institutions and conservation camps, and forestry firefighting facilities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 25th day of June, 1962.

(SEAL)

EDMUND G. BROWN
Governor of California

[ATTEST] FRANK M. JORDAN
Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1962 THIRD EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1962 Third Extraordinary Session of the Legislature, to take effect immediately.

[Approved by Governor July 2, 1962. Filed with
Secretary of State July 2, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The sum of twelve thousand four hundred ninety dollars (\$12,490) is hereby appropriated out of the General Fund in the State Treasury for the payment of the expenses of the Senate and Assembly necessarily incurred by them while attending the 1962 Third Extraordinary Session of the Legislature in accordance with the following schedule:

- (a) For expenses of the Assembly, including the payment of expenses for the Members of the Assembly necessarily incurred by them while attending the 1962 Third Extraordinary Session of the Legislature and the payment of mileage necessarily incurred by such members in attending such session----- \$8,276
- (b) For expenses of the Senate, including the payment of expenses for the Members of the Senate necessarily incurred by them while attending the 1962 Third Extraordinary Session of the Legislature and the payment of mileage necessarily incurred by such members in attending such session ----- 4,214

SEC. 2. This act, inasmuch as it makes an appropriation for the usual current expenditures of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

CHAPTER 2

An act to provide for meeting the building needs of the State by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, and making an appropriation therefor, and providing for the submission of the measure to the people at a special election to be consolidated with the 1962 general election.

[Approved by Governor July 12, 1962. Filed with
Secretary of State July 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. The purpose of this act is to provide the necessary funds to meet the building construction, equipment and site acquisition needs for California State Colleges, public junior colleges, the University of California, facilities for the mentally ill and retarded, narcotics control and correctional institutions, conservation camps, and forestry fire-fighting facilities. The bond proceeds shall be used only for the purposes specified by this section. Not less than eighty percent (80%) of the total amount of bonds authorized to be issued under this act shall be used for the building construction, equipment and site acquisition needs of the California State Colleges, public junior colleges, and the University of California. At least twenty million dollars (\$20,000,000) of the bonds authorized to be issued under this act shall be used only for building construction, equipment and site acquisition for public junior colleges.

SEC. 2. Bonds in the total amount of two hundred seventy million dollars (\$270,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in Section 1 of this act. Said bonds shall be known and designated as State Construction Program bonds and, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California are hereby pledged for the punctual payment of both principal and interest on said bonds as said principal and interest become due and payable.

SEC. 3. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, such sum in addition to the ordinary revenues of the State as shall be required to pay the principal and interest on said bonds maturing in said year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum.

SEC. 4. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this act, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal and interest on bonds issued and sold pursuant to the provisions of this act, as said principal and interest become due and payable.

(b) The sum of seventy-five thousand dollars (\$75,000) to be used as a revolving fund to pay the expenses incurred by the State Treasurer in preparing and advertising the sale or prior redemption of bonds issued pursuant to this act, to defray expenses incurred by the State Construction Program Committee pursuant to Government Code Section 16758, and for the payment of legal services upon approval of the State Board of Control, pursuant to Government Code Section 16760.

(c) Such sum as is necessary to carry out the provisions of Section 7 of this act, which sum is appropriated without regard to fiscal years.

SEC. 5. The proceeds of bonds issued and sold pursuant to this act, together with interest earned thereon, if any, shall be deposited in the State Construction Program Fund. The money in the fund derived from the sale of bonds authorized by this act may be expended only for the purposes specified in this act and only pursuant to appropriation heretofore or hereafter made by the Legislature in the manner hereinafter prescribed.

SEC. 6. A section shall be included in the Budget Bill for each fiscal year bearing the caption State Construction Bond Act Program. Said section shall contain proposed appropriations for the program contemplated by this act. No funds derived from the bonds authorized by this act may be expended pursuant to an appropriation unless the appropriation is contained in said section of the Budget Act of 1962 or in said section of any subsequent budget act. For this purpose this act may be cited as the State Construction Program Bond Act of 1962. The Department of Finance, which is hereby designated as the board for the purposes of this act, shall annually total the Budget Act appropriations referred to in this section and, pursuant to Section 16730 of the Government Code, request the State Construction Program Committee to cause bonds to be issued and sold in quantities sufficient to carry out the projects for which such appropriations were made.

SEC. 7. For the purposes of carrying out the provisions of this act the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this act. Any amounts withdrawn shall be deposited in the State Construction Program Fund. Any moneys made available under this section to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this act, together with interest at the rate of interest fixed in the bonds so sold.

SEC. 8. The bonds authorized by this act shall be prepared, executed, issued, sold, paid and redeemed as provided in the State General Obligation Bond Law (Chapter 4 of Part 3, Division 4, Title 2 of the Government Code), and all of the provisions of said law are applicable to said bonds and to this act, and are hereby incorporated in this act as though set forth in full herein.

SEC. 9. The State Construction Program Committee is hereby created. The committee shall consist of the Governor, the State Controller, the State Treasurer, the Director of Finance, and the Director of Public Works. For the purpose of this act the State Construction Program Committee shall be "the committee" as that term is used in the State General Obligation Bond Law.

SEC. 10. Out of the first money realized from the sale of bonds issued pursuant to this act there shall be redeposited to the credit of the appropriation made by subdivision (b) of Section 4 of this act such sums as have been expended for the purposes specified in said subdivision (b) of Section 4. The amounts so redeposited may be used for the same purposes whenever additional sales of bonds are made pursuant to this act. When all the bonds authorized by this act have been sold, the unexpended and unobligated balance of the appropriation made by subdivision (b) of Section 4 of this act, shall revert to the General Fund.

SEC. 11. Sections 1 to 10 of this act shall take effect upon the adoption by the people of the State Construction Program Bond Act of 1962, as set forth in Sections 1 to 10 of this act. Sections 11 to 18 of this act contain provisions relating to and necessary for the submission of the State Construction Program Bond Act of 1962 to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately.

SEC. 12. A special election is hereby called to be held throughout the State on the sixth day of November, 1962. The special election shall be consolidated with the general election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot and ballot pamphlet shall be used. Except as otherwise provided in this act, all of the provisions of law relating to the submission of measures proposed by the Legislature shall apply to the measure submitted pursuant to this act. The Secretary of State shall distribute the ballot pamphlets to the county clerks not less than 30 days before the election, and the county clerks shall commence to mail those pamphlets to the voters not less than five days before the election. The distribution of ballot pamphlets in all other respects shall be conducted in accordance with the provisions of Section 3573 of the Elections Code.

SEC. 13. At the special election called by this act there shall be submitted to the electors Sections 1 to 10 of this act.

SEC. 14. Upon the effective date of this section, the author of this measure and two members of the other house who voted with the majority on the measure, shall be appointed by the presiding officers of the respective houses to draft the arguments for the adoption of the measure. If the measure is not adopted unanimously by the house in which it originated, one member of the house in which it originated, who voted against it, shall be appointed by the presiding officer of that house to write an argument against it. If there are no negative votes on the measure in the house in which it originated, the presiding officer of that house shall appoint some qualified person to draft an argument against it. Each argument shall consist of not more than 500 words and shall be submitted to the Secretary of State on or before the fifth day after this section takes effect.

SEC. 15. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, however, that the Governor need not issue his election proclamation until 30 days before the election.

SEC. 16. All ballots at said election shall have printed thereon in bold face type and in a square thereof, the words: "For bonds to provide state college, junior college and university facilities; to provide facilities to care for mentally retarded and mentally ill and to provide narcotics control, correctional and forest fire-fighting facilities." In the square immediately below the square containing such words there shall be printed on said ballot in bold face type the words: "Against bonds to provide state college, junior college and university facilities; to provide facilities to care for mentally retarded and mentally ill and to provide narcotics control, correctional and forest fire-fighting facilities." In each square containing the language specified above, immediately below that language and enclosed in parentheses, there shall be printed, in 8-point type, the words: "This act provides for a bond issue of two hundred seventy million dollars (\$270,000,000). Eighty percent (80%) of the total amount of the bond issue will be used for the building construction, equipment and site acquisition needs for the California State Colleges, the public junior colleges and the University of California. Opposite the words: "For bonds to provide state college, junior college and university facilities; to provide facilities to care for mentally retarded and mentally ill and to provide narcotics control, correctional and forest fire-fighting facilities," and the language immediately following such statement, and "Against bonds to provide state college, junior college and university facilities; to provide facilities to care for mentally retarded and mentally ill and to provide narcotics control, correctional and forest fire-fighting facilities," and the language immediately

following such statement, there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act. Those voting for said bonds shall do so by placing a cross opposite the words: "For bonds to provide state college, junior college and university facilities; to provide facilities to care for mentally retarded and mentally ill and to provide narcotics control, correctional and forest fire-fighting facilities" and those voting against said bonds shall do so by placing a cross opposite the words: "Against bonds to provide state college, junior college and university facilities; to provide facilities to care for mentally retarded and mentally ill and to provide narcotics control, correctional and forest fire-fighting facilities"; provided that where the voting of said election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, the use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The measure shall appear on the ballot and in the ballot pamphlets in substantially the following form:

FOR BONDS TO PROVIDE STATE COLLEGE, JUNIOR COLLEGE AND UNIVERSITY FACILITIES; TO PROVIDE FACILITIES TO CARE FOR MENTALLY RETARDED AND MENTALLY ILL AND TO PROVIDE NARCOTICS CONTROL, CORRECTIONAL AND FOREST FIRE FIGHTING FACILITIES. (This act provides for a bond issue of two hundred seventy million dollars (\$270,000,000). Eighty percent (80%) of the total amount of the bond issue will be used for the building construction, equipment and site acquisition needs for the California State Colleges, the public junior colleges, and the University of California.)

1A

AGAINST BONDS TO PROVIDE STATE COLLEGE, JUNIOR COLLEGE AND UNIVERSITY FACILITIES; TO PROVIDE FACILITIES TO CARE FOR MENTALLY RETARDED AND MENTALLY ILL AND TO PROVIDE NARCOTICS CONTROL, CORRECTIONAL AND FOREST FIRE FIGHTING FACILITIES. (This act provides for a bond issue of two hundred seventy million dollars (\$270,000,000). Eighty percent (80%) of the total amount of the bond issue will be used for the building construction, equipment and site acquisition needs for the California State Colleges, the public junior colleges, and the University of California.)

The Governor of this State shall include the submission of the measure to the people, as aforesaid, in his Proclamation calling for said election. Notwithstanding the provisions of Section 10212 of the Elections Code, Sections 1 to 10 of this act shall appear as the first state measure on the ballot and in the ballot pamphlets used at the election at which it is submitted and shall be identified by the designation "1A."

SEC. 17. If it appears that the measure shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrepealable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against the measure then the same shall be and become void.

SEC. 18. Upon the effective date of this section the Secretary of State shall request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The analysis shall be filed with the Secretary of State within five days after the effective date of this section. The provisions of Article 2 (commencing with Section 3530) of Chapter 1 of Division 4 of the Elections Code shall not be applicable to the measure submitted by this act, and that measure shall be designated in the ballot pamphlets in the same manner as is provided in Section 16 of this act for its designation on the ballot.

CHAPTER 3

An act to add Section 54915 to the Government Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 12, 1962. Filed with
Secretary of State July 12, 1962.]

The people of the State of California do enact as follows:

SECTION 1. Section 54915 is added to the Government Code, to read:

54915. Notwithstanding the provisions of Sections 54902, 54903, and 54903.1, any change of boundaries of, or any reorganization of, any school district, or any formation of any type of new school district, effected pursuant to any of the provisions of Division 5 (commencing with Section 1601) of the Education Code, which was completed prior to the effective date of this section, shall be effective for assessment and taxation purposes if the statement and map as required by Sections 54900 and 54903.1 are filed by the district on or before August 1, 1962.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the peace, health or safety within

the meaning of Article IV of the Constitution and which shall go into immediate effect. The facts constituting such urgency are:

A question has arisen as to the validity of any tax that may be levied for the fiscal year 1962-63 in any school district formed or the boundaries of which have been changed during the fiscal year 1961-62. Those directly concerned have been reasonably unaware that as a result of such formation a new public agency has been formed requiring the filing of a statement and map or plat with the county assessor, the State Board of Equalization, the Superintendent of Public Instruction and the county superintendent of schools. Those directly concerned have also been reasonably unaware that as a result of a transfer of territory from one district to another a change of boundaries may have resulted requiring a similar filing of documents with the said officers and board of equalization and all of which aforesaid filings are a condition to levying taxes for school purposes for the fiscal year 1962-63.

Unless any failure to file such statements or maps is corrected in accordance with this act the school districts so formed or changed will be without power to levy taxes or assessments in the areas affected and the essential educational services in said areas will be most adversely affected and the financial stability of the districts will be seriously imperiled to the detriment of all of the citizenry of those school districts so affected.

CONCURRENT RESOLUTIONS

THIRD EXTRAORDINARY SESSION

1962

CONCURRENT RESOLUTIONS

ADOPTED AT THE 1962 THIRD EXTRAORDINARY SESSION
OF THE LEGISLATURE

CHAPTER 1

Assembly Concurrent Resolution No. 1—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a direct primary election held therein on the fifth day of June, 1962.

[Filed with Secretary of State June 29, 1962.]

WHEREAS, The City and County of San Francisco, State of California, contains a population of over 500,000 inhabitants, and has been ever since the eighth day of January, in the year 1932, and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the 26th day of March, 1931, and approved by the Legislature of the State of California and filed in the Office of the Secretary of State on the fifth day of May, 1931 (Statutes of 1931, page 2973); and

WHEREAS, The legislative authority of said city and county, namely, the board of supervisors thereof, duly proposed to the qualified electors of the city and county two (2) amendments to said charter; and

WHEREAS, Said legislative authority, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, did cause said two (2) proposed amendments to said charter to be published, once in the official newspaper of the said City and County of San Francisco and each edition thereof issued or published on the date of said publication, to wit, in the "San Francisco Examiner," a newspaper of general circulation in the City and County of San Francisco and the official newspaper of said city and county; and

WHEREAS, Said legislative body caused copies of said charter amendments to be printed in convenient pamphlet form and in type of not less than 10 point, and caused copies thereof to be mailed to each of the qualified electors of said City and County of San Francisco, and until the day fixed for the election upon said charter amendments, advertised in said

"San Francisco Examiner," a newspaper of general circulation in the City and County of San Francisco, a notice that copies of said charter amendments could be had upon application therefor at the office of the board of supervisors; and

WHEREAS, The said legislative authority of said city and county ordered placed upon the ballot at a direct primary election to be held in the City and County of San Francisco on the fifth day of June, 1962, the said two (2) several proposals to amend the charter of the City and County of San Francisco; and

WHEREAS, Said direct primary election was held in said City and County of San Francisco on the fifth day of June, 1962, which day was more than 40 days and less than 60 days from the completion of the publication of said proposed charter amendments for one day in said "San Francisco Examiner," and each edition thereof as hereinbefore set forth; and

WHEREAS, The registrar of voters did, in the manner provided by law, duly and regularly canvass the returns of said election, and on the 22d day of June, 1962, duly certify to the board of supervisors the results of said direct primary election as determined from the canvass of the returns thereof; and

WHEREAS, At said direct primary election so held on the fifth day of June, 1962, two (2) of said proposed amendments were ratified by a majority of the electors of said city and county voting thereon, to wit, charter amendments designated as Propositions C and D; and

WHEREAS, The said charter amendments so ratified by the electors of the City and County of San Francisco are now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and are in words and figures as follows:

PROPOSITION C

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the charter of said city and county by adding Section 88.2 thereof, relating to purchasing of materials, supplies and equipment.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on June 5, 1962, a proposal to amend the charter of said city and county by adding Section 88.2 thereof, so that the same shall read as follows:

PURCHASING PROCEDURE BY ORDINANCE

Section 88.2 The board of supervisors shall by ordinance determine the monetary limits of purchases of materials, supplies and equipment to be made (a) by the taking of informal

bids consistent with the manner provided in Section 88; and (b) by advertising for bids consistent with the manner provided for in Section 95.

They shall also provide by ordinance for the monetary limits within which procurements of materials, supplies and equipment may be made from departmental revolving funds. The purchaser of supplies shall by rules and regulations, approved by the chief administrative officer and the controller, establish the methods whereby procurements may be made from departmental revolving funds.

PROPOSITION D

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the charter of said city and county by adding Sections 35.5.3 and 36.2.1 thereto relating to the basic rates of compensation for lieutenant, police department, captain, fire department, pilots of fire boats, and marine engineers of fire boats.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on June 5, 1962, a proposal to amend the charter of said city and county by adding Sections 35.5.3 and 36.2.1 thereto reading as follows:

Section 35.5.3. Notwithstanding the provisions of section 35.5.1 or of any other provisions of this charter, the basic rate of compensation for the rank of lieutenant in the police department established under the provisions of section 35.5.1 for the fiscal year 1962-1963 shall be increased by six per cent (6%) and the resulting figure adjusted to the nearest dollar.

The provisions of this section shall be effective on the first day of the month immediately following the date of ratification of this amendment by the State Legislature and the adjusted basic rate of compensation for lieutenant computed as above provided shall be effective on that date and shall be paid for the remainder of the 1962-1963 fiscal year.

For the fiscal year 1963-1964 and subsequent fiscal years the basic rate of compensation for lieutenant shall be fixed in accordance with the provisions of section 35.5.1 of the charter.

The board of supervisors shall have the power, and it shall be its duty, without reference or amendment to the annual budget, to amend the annual appropriation ordinance and the annual salary ordinance for the fiscal year 1962-1963 to include the provisions necessary for paying the adjusted basic rate of compensation for the rank of lieutenant herein provided.

Section 36.2.1. Notwithstanding the provisions of section 36.2 or of any other provision of this charter, the basic rates of compensation for any rank of captain in the fire department, for pilots of fire boats, and for marine engineers of fire boats, established under the provisions of section 36.2 for the fiscal year 1962-1963, shall be increased by six per cent (6%) and the resulting figures adjusted to the nearest dollar.

The provisions of this section shall be effective on the first day of the month immediately following the date of ratification of this amendment by the State Legislature and the adjusted basic rates of compensation computed as above provided shall be effective on that date and shall be paid for the remainder of the 1962-1963 fiscal year.

For the fiscal year 1963-1964 and subsequent fiscal years the basic rate of compensation for the aforesaid ranks in the fire department shall be fixed in accordance with the provisions of section 36.2 of the charter.

The board of supervisors shall have the power, and it shall be its duty, without reference or amendment to the annual budget, to amend the annual appropriation ordinance and the annual salary ordinance for the fiscal year 1962-1963 to include the provisions necessary for paying the adjusted basic rates of compensation herein provided.

State of California }
City and County of San Francisco } ss

This is to certify that we, Peter Tamaras, President of the Board of Supervisors of the City and County of San Francisco, and Robert J. Dolan, Clerk of the Board of Supervisors of said city and county, have compared the foregoing proposed and ratified amendments to the Charter of the said City and County of San Francisco with the original proposals which were submitted to the electors of said city and county at a direct primary election held on Tuesday, the fifth day of June, One Thousand Nine Hundred and Sixty-Two; and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said Charter are true.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the same to be authenticated by the seal of the City and County of San Francisco, this twenty-second day of June, One Thousand Nine Hundred and Sixty-Two.

(SEAL) PETER TAMARAS
President of the Board of Supervisors
of the City and County of San Francisco

ROBERT J. DOLAN
Clerk of the Board of Supervisors of the
City and County of San Francisco

APPROVED AS TO FORM:
THOMAS M. O'CONNOR
City Attorney

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members

elected to each house voting therefor and concurring therein, That said amendments to the charter of the City and County of San Francisco, as proposed to, and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the City and County of San Francisco.

CHAPTER 2

Assembly Concurrent Resolution No. 2—Approving amendments to the charter of the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on April 10, 1962.

[Filed with Secretary of State June 29, 1962.]

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of amendments hereinafter set forth to the charter of the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, as set out in the certificate of the mayor and city clerk of said city as follows, to wit:

State of California }
County of San Mateo } ss.

We, the undersigned, Sidney D. Herkner, Mayor pro tem of the City of Redwood City, State of California, and Helen C. Moore, City Clerk of said City, do hereby certify as follows:

That the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, now is and at all times herein mentioned, was a city containing a population of more than 3,500 inhabitants, and has been and now is organized and existing and acting under a freeholder's charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which Charter was duly ratified by the qualified electors of said City and approved by the Legislature of the State of California.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California on its own motion, the Council of Redwood City, being the legislative body of said City, duly and regularly submitted to the qualified electors of said City certain proposals designated as "Charter Amendments" to amend the Charter of said City and to be voted upon by said qualified electors at the regular municipal election held in said City on April 10, 1962.

That said proposed amendments were duly and regularly submitted to the qualified electors of the City of Redwood City in the manner provided in Section 8 of Article XI of the Constitution of the State of California, and that said regular municipal election was duly and regularly held in the City of Redwood City after due notice given and published on April 10, 1962, which day was not less than forty (40) days, nor more than sixty (60) days after the completion of the publication and advertisement of the proposed Charter Amendments in the manner required by Section 8 of Article XI of the Constitution of the State of California.

That the returns of said election were duly and regularly canvassed and certified to, and it was duly found, determined and declared by the proper officers thereunto duly and properly authorized that all of the amendments to the Charter of the City of Redwood City hereinafter set forth were ratified by a majority of the electors of said City voting thereon; that the Council of said City did by its Resolution No. 3681 duly declare the results of said election as determined by the canvass of the returns thereof.

That as to said Charter Amendments, this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

That said Charter Amendments to the Charter of the City of Redwood City so ratified by the electors of said City are in words and figures as follows, to wit:

CHARTER AMENDMENT NO. 1

The Charter of the City of Redwood City is hereby amended by adding thereto Section 50b, to read as follows:

“Section 50b. REVENUE BONDS.

1. The provisions of this section shall supersede and control all other provisions of this charter in conflict herewith.

2. The term ‘enterprise’ as used in this section means any or all facilities and improvements, including any or all improvements to any thereof, referred to or described in paragraph 2 or 3 of Section 47f of the Charter and under the jurisdiction of the Board.

3. Notwithstanding any provision of this Charter to the contrary, and without complying with Section 48e, the Board shall have power to acquire, construct, improve and finance any enterprise in the Port Area. For the payment of the cost of any enterprise or any part thereof (including all incidental expenses, interest during construction, reserve funds and other funds necessary for the better securing of the bonds hereinafter referred to) the Board may, by resolution adopted by the affirmative votes of four-fifths of all of its members and approved by the affirmative votes of a majority of the members of the Council and without compliance with Section 65 of the Charter by the Board or the Council, issue revenue

bonds in the name of the Board payable exclusively from any or all revenues of such enterprise.

4. Such revenue bonds shall be issued by the Board pursuant to the provisions of the Revenue Bond Law of 1941 (California Government Code Sections 54300 and following) as in effect on the effective date of the charter amendment adding this section to the Charter (and all of the provisions of said Law are incorporated in this section by reference and made a part hereof); *excepting, however*, that no election shall be required for the issuance of any revenue bonds by the Board; that the terms 'local agency' and 'legislative body' as used in said Law shall mean the Board; and that the term 'enterprise' as used in said Law shall have the meaning set forth in paragraph 2 of this section.

5. If any revenue bonds shall be issued under this section, then Section 48b and the first two paragraphs and the first sentence of the third paragraph of Section 48c of the Charter shall be inapplicable so long as any such revenue bonds shall remain outstanding and unpaid. The general fund of the City shall not be liable, and the credit or taxing power of the City shall not be pledged, for the payment of any such revenue bonds or their interest and such bonds shall not be secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or the Board or any income or receipts of the City or the Board excepting only revenues of the enterprise.

6. The authorization granted to the Board by this section to issue revenue bonds is complete and no authorization for their issuance shall be required except as provided in this section and Section 65 of the Charter shall not apply; provided, however, that the provisions of this section shall constitute an alternative method of financing and that the City may, in its discretion, provide for the financing of any facilities or improvements in the Port Area in any other manner permitted by the Charter or the laws of the State of California, including the issuance of general obligation bonds of the City therefor.

7. Revenue bonds issued under this section shall not be taken into consideration in determining the bonded indebtedness which the City is authorized to incur and shall be excluded from any limitation provided by Section 65 or otherwise by this Charter or by law on the amount of bonded indebtedness of the City."

CHARTER AMENDMENT NO. 2

Section 34 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 34. CITY TREASURER.

There shall be a city treasurer, who shall be appointed by the City Council. It shall be his duty to receive and safely keep all moneys and securities belonging to the City and

coming into his hands, and to pay out the same only on warrants signed by the proper officers, except the principal and interest due on bonds of the City, including improvement bonds thereof.

The treasurer shall deposit, with a responsible banking institution, to be designated by the City Council, all funds coming into his possession, and shall obtain from such banking institution bonds or other collateral as security therefor, as provided by law. All interest on money so deposited shall accrue to the benefit of the City.

The Council, in the case of general municipal funds, and the Board of Port Commissioners, in the case of Port funds, may authorize the treasurer to invest such public moneys as are not required for immediate expenditure in United States Treasury notes, bonds, bills or other certificates of indebtedness for which the full faith and credit of the United States is pledged for the payment of the entire principal and interest. Such authority may include the power to sell or exchange such securities and reinvest the proceeds thereof. If so authorized, the treasurer shall thereafter assume full responsibility for such transactions until such authority is revoked and shall make a monthly report of such transactions to the Council concerning the investment of general municipal funds and to the Board of Port Commissioners concerning the investment of Port funds."

CHARTER AMENDMENT NO. 3

Section 48 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 48. HARBOR LANDS

All tidelands and submerged lands within the Port Area, whether filled or unfilled, heretofore or hereafter acquired by the City of Redwood City from the State of California, are hereby declared to be required for use for purposes in connection with, or for the promotion and accommodation of commerce, navigation or fishery and shall, except as herein provided, continue to be withheld for such purposes. It shall be unlawful to grant, sell, convey, alienate, transfer or otherwise dispose of, any part of or any interest in such tidelands and submerged lands, or appurtenances thereto belonging, owned, controlled, possessed or held by the City of Redwood City in the Port Area, except as follows:

(a) Such lands may be leased for not to exceed a term of fifty (50) years in accordance with the procedures established by this Charter for the leasing of real property and subject to the trusts and conditions contained in the grants of such property to the City of Redwood City.

(b) Any lands owned and lying easterly of Harbor Boulevard may be sold as provided by the Charter of the City of Redwood City for selling of property within said City by said Council or by said Port Commission.

(c) Grants of such lands may be made to the State of California, or to the United States of America, for public purposes, when authorized by a majority vote of the qualified voters of the City, voting upon the question of authorizing any such grant at an election or upon a vote of five-sevenths (5/7ths) of the Council of said City, or four-fifths (4/5ths) of the Port Commission of said City in case said Port Commission has jurisdiction thereof."

CHARTER AMENDMENT No. 4

Section 49a of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 49a. CONTRACTS.

Except as otherwise provided herein, all public work requiring an expenditure of funds under the jurisdiction of the Board of Port Commissioners in excess of Two Thousand Dollars (\$2,000) shall be accomplished pursuant to the provisions of Sections 67 and 68 hereof concerning public competitive bidding. All powers and duties therein conferred upon the City Council are, in relation to all matters concerning the Port, hereby conferred and imposed upon the Board of Port Commissioners, and all powers and duties therein conferred upon the City Manager are, in relation to all matters concerning the Port, hereby conferred and imposed upon the Port Manager. Plans and specifications must be on file in the office of the Board, subject to public inspection, at the time of publication of notice inviting public bids.

In the event of extraordinary fire, flood, storm, epidemic, public disaster, or if necessary to accomplish emergency rehabilitation or repair of operative facilities to prevent loss of Port revenue, the Board may, upon adoption of a resolution by 4/5ths vote of its members, declare that the public interest and necessity requires the immediate performance of emergency public work or service. Upon adoption of such resolution the Board may order such emergency expenditures as are necessary to accomplish such work without public advertisement or bid."

CHARTER AMENDMENT No. 5

Section 91 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 91. OFFICIAL PUBLICITY ON ELECTION MATTERS.

Arguments for and against any proposed City charter, any proposed amendment to the City charter, any proposal for the issuance of bonds by the City, or any other question, proposition or measure submitted to the voters of the City, shall be submitted to the qualified electors of the City in accordance with and pursuant to the applicable provisions of the general laws of the State of California."

And we further certify that the foregoing proposed and ratified amendments to the Charter of the City of Redwood City are a full, true and correct copy of the Charter Amendments approved by the voters of the City of Redwood City.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the seal of the City of Redwood City to be affixed hereto this 20th day of June, 1962.

(SEAL)

SIDNEY D. HERKNER
Mayor pro tem of the
City of Redwood City

HELEN C. MOORE
City Clerk of the
City of Redwood City

WHEREAS, The said proposed amendments, as ratified, as hereinbefore set forth, have been and now are duly presented and submitted to the Legislature of the State of California for approval or rejection, as a whole, without power of alteration, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the charter of the City of Redwood City as presented to and adopted and ratified by the electors of the said city and as hereinbefore fully set forth, be and the same are hereby approved as a whole, without amendment or alteration, for and as amendments to, and as a part of, the charter of the said City of Redwood City.

CHAPTER 3

Assembly Concurrent Resolution No. 3—Relative to the death of Earl W. Stanley.

[Filed with Secretary of State June 29, 1962.]

WHEREAS, Members of the Legislature learned with deep regret of the recent death of Earl W. Stanley, a former Member of the Assembly; and

WHEREAS, Earl Stanley was born in 1900 in Pasadena, attending Pasadena schools and Occidental College before commencing his highly successful insurance and real estate business; and

WHEREAS, Although young in years, he answered the call of duty to his country, serving in the United States Navy during World War I; and

WHEREAS, Earl Stanley served ably as a member of the city council before coming to the Assembly; and

WHEREAS, He was first elected to the Assembly in 1946, being re-elected in four subsequent elections and winning the nomination of both parties in 1948 and 1950; and

WHEREAS, During his 10 years of outstanding public service in the Assembly he served with wisdom and dignity as Chairman of the Republican Caucus, Chairman of the Municipal and County Government Committee and member of the Assembly Committees on Elections and Reapportionment, Fish and Game, and Military Affairs; and

WHEREAS, Through astute leadership and diligence he procured the enactment of the Stanley Driver Education and Driver Training Law which he authored, and which earned him national recognition and a special citation from the National Committee for Traffic Safety; and

WHEREAS, In addition to his many legislative and business duties he was very active in professional, social and civic organizations, maintaining membership in the California Real Estate Association, the Newport Harbor Chamber of Commerce, the Rotary, the Elks, the American Legion, the 40 and 8, the Balboa Bay Club, the Balboa Angling Club, the Balboa Yacht Club, the Santa Ana Country Club, the Sutter Club and the Irvine Coast Country Club; and

WHEREAS, Earl Stanley will long be remembered for his ability, his energy, his friendliness and his ever-willingness to help those who had occasion to seek his counsel; and

WHEREAS, He is survived by his widow, Mrs. Mildred Twitchell Stanley, two daughters, Mrs. Earlynn Albright and Mrs. Donna Gallant, his brother, Mr. Lewis Stanley, and 13 grandchildren; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature are grieved to learn of the passing of their former fellow member and wish to express their heartfelt sorrow and deepest sympathy to his widow, Mrs. Mildred Twitchell Stanley, and to the other members of his family; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Mildred Twitchell Stanley, his two daughters, Mrs. Earlynn Albright and Mrs. Donna Gallant, and his brother, Mr. Lewis Stanley.

CHAPTER 4

Assembly Concurrent Resolution No 4—Approving amendments to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1962.

[Filed with Secretary of State June 29, 1962.]

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of amendments to the charter of the City of Napa, a municipal corporation of the County of Napa, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of the city, as follows:

State of California	}	ss.
County of Napa		
City of Napa		

CERTIFICATE OF RATIFICATION OF TWO AMENDMENTS
TO THE CHARTER OF THE CITY OF NAPA

We, the undersigned LATHROP C. BROWN, Mayor of the City of Napa, and ALLEN R THORPE, City Clerk of said City, do hereby certify as follows:

That the City of Napa, a municipal corporation in the County of Napa, State of California, now is and at all times herein mentioned, was a city containing a population of more than 3,500 and less than 50,000 inhabitants and is now, and has been ever since January 26, 1915, organized, existing and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which said Charter was duly ratified by the qualified electors of said City of Napa at an election held for that purpose on the 16th day of December, 1914 and approved by the Legislature of the State of California on the 26th day of January, 1915.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of the City of Napa on its own motion duly made and entered on the minutes of said City Council, on March 5, 1962, duly and regularly prepared and proposed to submit to the qualified voters of said City of Napa two proposed amendments to the Charter of said City of Napa, said charter amendments being designated as Proposal No. 1 and Proposal No. 2, filed in the office of the Clerk of said City of Napa on said March 5, 1962, and further ordered that said charter amendments should be submitted to and voted upon by the qualified voters of said City at a special election called and held for that purpose in said City on the 1st day of May 1962, and consolidated said special election with the General Election to be held in said City on said 1st day of May 1962.

That said proposed charter amendments were published and advertised in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California on the 7th day of March, 1962 in the "Napa County Record", a newspaper of general circulation printed and published in said City of Napa, and in all the editions thereof issued during said day of publication.

The said municipal election was held in said City of Napa on May 1st, 1962 and that at said election a majority of the qualified voters voting thereon voted in favor of said proposed charter amendments designated as said Proposal No. 1 and Proposal No. 2 and that said City Council, as provided by law, duly and regularly canvassed the returns of said election and did duly find, determine and declare the result of said special election to be that a majority of the qualified voters of said City voting on said proposed charter amendments had voted for and ratified said amendments, and that the City Clerk did enter on the record and in the minutes of said City Council a statement of the result of said election.

That said amendments to the Charter of the City of Napa, so ratified by the electors of said City of Napa, are in words and figures as follows, to-wit:

CHARTER AMENDMENT No. 1

That Section 57 of the Charter of the City of Napa is rescinded and repealed.

CHARTER AMENDMENT No. 2

That Section 66A is added to the Charter of the City of Napa, to read as follows:

Section 66A: ANNUAL AUDIT. It shall be the duty of the City Council, by a majority affirmative vote, to contract with a Certified Public Accountant, not later than the third Monday of March in each year, for an examination of all books and accounts of the City for the current fiscal year and to report in writing, the results of such examination to the City Council.

That we have compared the foregoing amendments with the original proposals submitted to the electors of said City of Napa and find that the foregoing are full, true, correct and exact copies thereof, and we further certify that the facts set forth in the preambles of this Certificate preceding said amendments to said Charter are true.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the seal of said City of Napa to be affixed hereto this 19th day of June, 1962.

(SEAL)

LATHROP C. BROWN
Mayor of the City of Napa
State of California

ALLEN R. THORPE
City Clerk of the City of Napa
State of California

WHEREAS, The proposed charter amendments as ratified as hereinabove set forth have been and now are duly presented and submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the amendments to the charter of the City of Napa, as proposed to and adopted and ratified by the electors of the city, as hereinbefore fully set forth, be and the same are hereby approved as a whole, without alteration or amendment, for and as amendments to and as part of the charter of the City of Napa.

CHAPTER 5

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the City of Newport Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on April 10, 1962.

[Filed with Secretary of State June 29, 1962.]

WHEREAS, Proceedings have been duly and regularly taken and had for the adoption and ratification of a charter amendment, hereinafter set forth, to the charter of the City of Newport Beach, a municipal corporation, in the County of Orange, State of California, and set out in the certificate of the mayor and city clerk of said city, as follows:

State of California	}	ss.
County of Orange		
City of Newport Beach		

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENT BY ELECTORS OF THE CITY OF NEWPORT BEACH

We, the undersigned, Charles E. Hart, Mayor of the City of Newport Beach, and Margery Schrouder, City Clerk of said City, do hereby certify and declare as follows:

That the City of Newport Beach, a municipal corporation in the County of Orange, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California, with a population of more than 3,500 and less than 50,000 inhabitants.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said city a certain proposal for the amendment of the charter of said city at a general municipal election duly and regularly called and held in said city on the 10th day of April, 1962, said charter amendment being herein designated as Newport Beach Charter Amendment.

That on the 23rd day of February, 1962, said City Council caused said Newport Beach Charter Amendment to be duly and regularly published and advertised in each and every edition of said 23rd day of February, 1962, in the Newport Harbor News Press, the official newspaper of said city, printed, published and circulated in said city.

That said general municipal election was duly and regularly held in said city on the date fixed by said Council, to wit, April 10, 1962, which date was not less than forty (40) and not more than sixty (60) days after completion of the advertising of said proposed charter amendment, and the returns of said general municipal election were duly and regularly canvassed and the results declared and entered, namely, that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify said Newport Beach Charter Amendment, hereinafter specifically set forth.

That said amendment to the Charter of said city so ratified by the voters of said city is as follows, to wit:

NEWPORT BEACH CHARTER AMENDMENT

Section 415 of the Charter was amended to read as follows:

"Section 415. Codification of Ordinances. Any or all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code, and such code may be adopted by reference, with the same effect as an ordinance, by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed for use and examination by the public in the office of the City Clerk prior to the adoption thereof. Ordinances codified shall be repealed as of the effective date of the code. Such code may be subsequently revised, recompiled, recodified and indexed, including such restatement and substantive change as is necessary in the interest of clarity, in the same manner as prescribed in this section for the original adoption by reference of an ordinance code. Amendments to the code shall be enacted in the same manner as ordinances.

Detailed regulations pertaining to the construction of buildings, plumbing and wiring, when arranged as a comprehensive

code, may likewise be adopted by reference in the manner provided in this Section. Maps, charts and diagrams also may be adopted by reference in the same manner."

That we have compared the amendment as stated herein with the original proposal submitted to the electors of said city, and find and certify that said amendment is a full, true and correct copy thereof.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the seal of said City of Newport Beach to be affixed hereto this 20th day of June, 1962.

(SEAL)

CHARLES E. HART
Mayor of the City of
Newport Beach, California

MARGERY SCHROUDER
City Clerk of the City of
Newport Beach, California

and

WHEREAS, Said proposed charter amendment as ratified (being hereinabove set forth) has been and is now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration and in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the aforementioned amendment to the charter of the City of Newport Beach as proposed to, and adopted and ratified by, the qualified electors of said City of Newport Beach be and the same hereby is approved as a whole, without amendment or alteration, for and as an amendment to and as part of the charter of the City of Newport Beach.

CHAPTER 6

Senate Concurrent Resolution No. 3—Approving amendments to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of the city at a special municipal election held therein on the 1st day of May, 1962.

[Filed with Secretary of State June 23, 1962]

WHEREAS, Proceedings have been had for the proposal, adoption, and ratification of certain amendments, hereinafter set forth, to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, as set out

in the certificate of the Mayor and City Clerk of the City of Napa as follows:

State of California }
County of Napa } ss.
City of Napa }

CERTIFICATE OF RATIFICATION OF TWO AMENDMENTS
TO THE CHARTER OF THE CITY OF NAPA

We, the undersigned Lathrop C. Brown, Mayor of the City of Napa, and Allen R. Thorpe, City Clerk of said City, do hereby certify as follows:

That the City of Napa, a municipal corporation in the County of Napa, State of California, now is and at all times herein mentioned, was a city containing a population of more than 3,500 and less than 50,000 inhabitants and is now, and has been ever since January 26, 1915, organized, existing and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which said Charter was duly ratified by the qualified electors of said City of Napa at an election held for that purpose on the 16th day of December, 1914 and approved by the Legislature of the State of California on the 26th day of January, 1915.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of the City of Napa on its own motion duly made and entered on the minutes of said City Council, on March 5, 1962, duly and regularly prepared and proposed to submit to the qualified voters of said City of Napa two proposed amendments to the Charter of said City of Napa, said charter amendments being designated as Proposal No. 1 and Proposal No. 2, filed in the office of the Clerk of said City of Napa on said March 5, 1962, and further ordered that said charter amendments should be submitted to and voted upon by the qualified voters of said City at a special election called and held for that purpose in said City on the 1st day of May 1962, and consolidated said special election with the General Election to be held in said City on said 1st day of May 1962.

That said proposed charter amendments were published and advertised in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California on the 7th day of March, 1962 in the "Napa County Record", a newspaper of general circulation printed and published in said City of Napa, and in all the editions thereof issued during said day of publication.

The said municipal election was held in said City of Napa on May 1st, 1962 and that at said election a majority of the qualified voters voting thereon voted in favor of said proposed charter amendments designated as said Proposal No. 1 and

Proposal No. 2 and that said City Council, as provided by law, duly and regularly canvassed the returns of said election and did duly find, determine and declare the result of said special election to be that a majority of the qualified voters of said City voting on said proposed charter amendments had voted for and ratified said amendments, and that the City Clerk did enter on the record and in the minutes of said City Council a statement of the result of said election.

That said amendments to the Charter of the City of Napa, so ratified by the electors of said City of Napa, are in words and figures as follows, to-wit:

CHARTER AMENDMENT No. 1

That Section 57 of the Charter of the City of Napa is rescinded and repealed.

CHARTER AMENDMENT No. 2

That Section 66A is added to the Charter of the City of Napa, to read as follows:

Section 66A: ANNUAL AUDIT. It shall be the duty of the City Council, by a majority affirmative vote, to contract with a Certified Public Accountant, not later than the third Monday of March in each year, for an examination of all books and accounts of the City for the current fiscal year and to report in writing, the results of such examination to the City Council.

That we have compared the foregoing amendments with the original proposals submitted to the electors of said City of Napa and find that the foregoing are full, true, correct and exact copies thereof, and we further certify that the facts set forth in the preambles of this Certificate preceding said amendments to said Charter are true.

IN WITNESS WHEREOF, We have here unto set our hands and caused the seal of said City of Napa to be affixed hereto this 19th day of June, 1962.

(SEAL)

LATHROP C. BROWN
Mayor of the City of Napa
State of California

ALLEN R. THORPE
City Clerk of the City of Napa
State of California

WHEREAS, The proposed amendments so ratified as hereinabove set forth have been and are now duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all members elected to each house voting thereon and concurring therein. That the amendments to the charter of the City of Napa, as proposed to and adopted and ratified by the qualified electors of the City of Napa, are hereby approved as a whole without amendment or alteration for and as amendments to and as a part of the charter of the City of Napa.

CHAPTER 7

Senate Concurrent Resolution No. 4—Relative to final adjournment of the 1962 Third Extraordinary Session of the Legislature.

[Filed with Secretary of State June 29, 1962]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1962 Third Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 5 o'clock on the 28th day of June, 1962.

CHAPTER 8

Senate Concurrent Resolution No. 5—Approving amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of June, 1962.

[Filed with Secretary of State June 29, 1962]

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of amendments to the charter of the City of Sacramento, a municipal corporation of the County of Sacramento, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of the city, as follows.

CERTIFICATE OF RATIFICATION BY ELECTORS OF THE CITY OF SACRAMENTO OF A CERTAIN CHARTER AMENDMENT

State of California }
County of Sacramento } ss
City of Sacramento }

We, the undersigned, James B. McKinney, mayor of the City of Sacramento, State of California, and Reginald H.

Boggs, City Clerk of said City, do hereby certify and declare as follows:

That the City of Sacramento, a municipal corporation of the County of Sacramento, State of California, now is, and was at all times herein mentioned, a City having a population of more than 50,000 inhabitants and has been, ever since the year 1921, organized, existing, and acting under a Freeholder's Charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which Charter was duly ratified by the majority of the qualified electors of said City at a Special Municipal Election held for that purpose on the 30th day of November, 1920, and approved by the Legislature, of the State of California on January 24, 1921. (Statutes of 1921), page 1919).

That in accordance with the provisions of Article XI of Section 8 of the Constitution of the State of California, the City Council of the City of Sacramento, being the legislative body thereof, on its own motion duly and regularly submitted to the qualified electors of the City of Sacramento a proposition for the amendment of the Charter of the City of Sacramento at the special municipal election consolidated with the State Direct Primary Election held within the City on June 5, 1962. That said proposition was designated as "Proposition C" and provided for Increased Pensions to Retired Persons.

In accordance with the provisions of Section 8 of Article XI, of the Constitution of the State of California, and the Charter of the City of Sacramento, the said proposed amendment was published and advertised in full, on April 10, 1962, in the Sacramento Union, a daily newspaper of general circulation, printed and published in the City of Sacramento, the official newspaper of said City of Sacramento. The foregoing is shown by the affidavit of publication on file in the office of the City Clerk.

That copies of said proposed amendment were printed in convenient pamphlet form and in type not less than 10-point as required by law, and copies thereof were mailed to each of the qualified electors of said City of Sacramento within the time and manner required by law.

And until the date fixed for the Special Municipal Election, June 5, 1962, as hereinafter set forth, there was published in said Sacramento Union an advertisement stating that copies of said proposed charter amendment could be had, upon application therefor, at the office of the City Clerk of said City of Sacramento.

That copies of said pamphlet containing said proposed amendment could be had upon application therefor at the office of the City Clerk of said City at all times, to and including June 5, 1962, the date fixed for said special election, all as required by said Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of the Charter of the City of Sacramento, and in the manner provided by law, the

said special municipal election consolidated with the State Direct Primary Election was duly and regularly held in said City June 5, 1962, after due notice was given and published on April 10, 1962, which said last aforementioned day was not less than forty (40) nor more than sixty (60) days after the completion of the publication and advertisement of the aforementioned proposed amendment in the Sacramento Union, the official newspaper of said City of Sacramento. That at said election, a majority of the qualified electors voting upon the proposed charter amendment voted in favor of proposition C (Increased Pensions to Retired Persons), and ratified the same.

That thereafter the Board of Supervisors of Sacramento County did in the manner provided by law, duly and regularly canvass the returns of said election and report the results thereof to the City Council. That the City Council did adopt a resolution approving the results of the canvass of the returns of said election, and did also by said resolution, find, determine and declare that certain proposed amendment designated as Proposition C INCREASED PENSIONS TO RETIRED PERSONS to the Charter of the City of Sacramento, as hereinafter set forth, was ratified by a majority vote of the electors of said City voting thereon.

That as to said amendment to the Charter of Sacramento, this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

That the said amendment to the Charter of the City of Sacramento so ratified by the qualified electors of said City are as follows:

“PROPOSITION C

To amend Article XX of the City Charter of the City of Sacramento by adding a new Section 173.4, to read as follows:

INCREASED PENSIONS TO RETIRED PERSONS

Sec. 173.4. (1) Every monthly allowance payable under the Sacramento City Employees' Retirement System, for time commencing on the effective date of this section, hereby designated as the first day of the month next following its ratification by the Legislature, to or on account of any member who was retired prior to July 1, 1961, or to the widow or child or children of any member who died prior to July 1, 1961, as the result of injury received in or illness caused by the performance of duty, is hereby increased by the percentage set forth in the following table opposite the period during which the member's retirement became effective, or death occurred, provided that any allowance modified under Option No. 1, or reduced by a portion of the member's primary benefit under Federal Social Security, shall be increased by an amount de-

rived by the application of the respective percentage to the amount which would be payable for such time, if the allowance had not been so modified or so reduced:

Period during which retirement became effective or death occurred	Percentage of increase in monthly allowance
Prior to July 1, 1959-----	7½%
12 months ended June 30, 1960-----	5 %
12 months ended June 30, 1961-----	2½%

(2) The increase in each allowance provided by this section shall be apportioned between the service rendered prior to entry of the member into the Retirement System, and service rendered as a member in the same proportions that the portion of the allowance which was not provided by the member's accumulated contributions, was so apportioned at the time of retirement or death. Contributions to the Retirement System necessary for the payment of the increases in the retirement allowance provided in this section, shall be provided, with respect to the portion of the increases based on service rendered after March 31, 1935, by members under Sections 175, 175.1 and 175.13, from the reserves held by the Retirement System on account of members under Sections 175.1 and 175.13, the necessary amount being transferred upon said effective date from said reserves to the reserves held by the Retirement System to meet the obligations on account of allowances that have been granted. The contribution being required of the City currently, as a percentage of compensation of members under Sections 175.1 and 175.13 shall be increased by a percentage determined by the actuary as necessary to replace the reserves so transferred. Contributions to the Retirement System necessary for the payment of said increases with respect to the portion of the increases based on service credited to members under Section 173, and with respect to the portion of the increases based on other service rendered prior to April 1, 1935, shall be paid to the System by the City by annual appropriations, provided that such appropriation for any year shall not be less than the amount disbursed during that year on account of said increases; and provided further that such appropriations shall not be made in separate amounts, but instead, shall be included as an addition with the appropriations made on account of the current and prior service portions of the allowances to which the increases were added.

(3) This section does not give any retired member, or his successors in interest, or his beneficiary, or any payee for any allowance in respect to a deceased member, any claim against the City for any increase in any allowance paid or payable for time prior to its effective date."

We further certify that we have compared the foregoing ratified amendment to the Charter of the City of Sacramento

with the original proposal submitted to the electors of said City, and find that the foregoing is a full, true, and correct and exact copy of such amendment.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Seal of said City of Sacramento to be affixed hereto on the 27th day of June, 1962.

(SEAL)

JAMES B. MCKINNEY, Mayor
City of Sacramento

REGINALD H. BOGGS, City Clerk
City of Sacramento

APPROVED AS TO FORM :
EVERETT M. GLENN
City Attorney

WHEREAS, The proposed charter amendments as ratified as hereinabove set forth have been and now are duly presented and submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the amendments to the charter of the City of Sacramento, as proposed to and adopted and ratified by the electors of the city, as hereinbefore fully set forth, be and the same are hereby approved as a whole, without alteration or amendment, for and as amendments to and as part of the charter of the City of Sacramento.

CHAPTER 9

Senate Concurrent Resolution No. 6—Approving an amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on June 5, 1962.

[Filed with Secretary of State June 29, 1962]

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of an amendment hereinafter set forth to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, as set out in the certificate of the mayor and city clerk of the said city as follows, to wit:

State of California }
County of San Diego } ss.

We, the undersigned, Charles C. Dail, Mayor of The City of San Diego, and Phillip Acker, City Clerk of said City do hereby certify and declare as follows:

The City of San Diego, a municipal corporation, is now and since the year 1931 has been organized and existing under and pursuant to the provisions of a freeholders' charter adopted in accordance with and by virtue of the provisions of Section 8 Article XI of the Constitution of the State of California.

That pursuant to and in accordance with the provisions of Section 8 Article XI of the Constitution of the State of California, the City Council of said City, being the legislative body thereof, on its own motion proposed to the qualified electors of the City of San Diego an amendment to the Charter of the said City, which amendment was designated as Proposition R, and submitted said proposition to the qualified electors of The City of San Diego at the special municipal election held on June 5, 1962.

That said proposed charter amendment was published and advertised in the San Diego Union, a daily newspaper of general circulation published in the City of San Diego and the official newspaper of said city, and in each edition thereof during the day of publication, to wit: April 6, 1962.

That copies of said proposed charter amendment were printed in convenient pamphlet form and in type of not less than ten point, and were mailed to each of the qualified electors of said city, and that until the date fixed for the election herein described a notice was advertised and published in the San Diego Union, a daily newspaper of general circulation published in the City of San Diego, and the official newspaper of said city, that copies of said proposed charter amendment could be had upon application therefor at the office of the City Clerk of the City of San Diego.

That such copies of said proposed charter amendment could be had upon application therefor at the office of the city clerk of said city until the date fixed for said election.

That said proposed amendment was submitted to the qualified electors of said City at said Special Municipal Election held in said City.

That at said election on the said proposed amendment to the Charter of The City of San Diego, a majority of the qualified voters of the City voting on said proposed amendment voted in favor of Proposition R and said proposed amendment was ratified by a majority of the qualified electors of said City voting thereon.

That all of said proceedings were duly and regularly had and taken in accordance with said Section 8 of Article XI of the Constitution of the State of California and the Charter of The City of San Diego and the laws of the State of California.

That as to the amendment to the Charter of The City of San Diego hereinafter set forth, this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

That the proposed amendment to the Charter of The City of San Diego which was so ratified by a majority of the electors of said City, is in words and figures as follows:

PROPOSITION R

Amend Section 54 of Article V of the Charter of The City of San Diego to read as follows:

“Section 54. HARBOR DEPARTMENT.

(a) The Mayor, with the approval of the Council, shall appoint five electors of the City as members of the Harbor Commission, one to serve for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter, members of the Harbor Commission shall be appointed to serve for five years and until their successors have been appointed and qualified. The members of the Harbor Commission in office at the time this amendment becomes effective shall remain in office until their successors are appointed and qualified. The Council may at any time by a vote of at least five (5) of their members remove from office any or all of said Harbor Commissioners. The members of the Harbor Commission shall serve without pay.

(b) The Harbor Commission is vested with jurisdiction and authority to exercise in the name of the City of San Diego such powers as are prescribed by general laws now in force and hereafter enacted, together with such additional powers and duties as may be prescribed by ordinance, this Charter, or the laws of the United States. The Commission shall have jurisdiction, supervision, management and control of the Bay of San Diego fronting upon The City of San Diego and within the jurisdiction of said City, including all tide and submerged lands, whether filled or unfilled, situated below the line of mean high tide within said bay, except, however, such tide and submerged lands within said bay which have heretofore or which hereafter may be transferred to the exclusive control of the United States, and excepting further such other tidelands as may by vote of the people or act of the State Legislature be transferred to a purpose and use inconsistent with commerce, navigation and fisheries.

(c) The Harbor Commission shall have power to adopt, with the approval of the Council by ordinance, such rules and regulations as may be necessary to exercise and carry out the powers and duties prescribed by this Charter for said Harbor Commission.

(d) The Harbor Commission, subject to the Civil Service provisions of this Charter, shall appoint a Port Director, together with such other officers, employees and subordinates as may be necessary in the judgment of said Harbor Commission to carry out the duties prescribed by this Charter for said Harbor Commission and for the promotion of commerce, navigation and fisheries. All such offices and employments shall

be created by ordinance upon the direct recommendation of the Harbor Commission. The Harbor Commission shall also have authority and power to employ legal counsel whenever in the judgment of said Commission such employment is necessary.

(e) The Port Director shall be the chief administrative officer of the Harbor Commission, and he shall exercise such powers and perform such duties as may be prescribed by the Harbor Commission. In addition to any duties imposed by the Harbor Commission and this Charter the Port Director shall also perform such duties as may be imposed upon harbor masters, port directors and administrative heads of harbors and ports by State or Federal law.

(f) All revenues derived from the tidelands and the operation of San Diego Harbor shall be used exclusively for the purpose of improving the harbor and tidelands fronting thereon, including the payment of principal and interest of any general obligation bonds or revenue bonds issued by the City for the improvement of the harbor or of tidelands fronting thereon, and the maintenance and operation of the Harbor Department. Each year there shall be appropriated from funds derived from said revenues the amount or amounts required by any ordinance or resolution authorizing or providing for the issuance of revenue bonds for the improvement of the harbor or of tidelands fronting thereon and such amount or amounts, if any, as the Council shall direct for the payment of principal of and interest on general obligation bonds of the City issued after June 15, 1960, for the improvement of the harbor or of tidelands fronting thereon. If, at the time of submission of its annual budget estimate, as provided in Section 69 of this Charter, the Harbor Commission determines there are or will be revenues available for the payment of any principal or interest coming due the next fiscal year on general obligation bonds of the City issued prior to June 15, 1960, for harbor purposes, said revenues may be appropriated and used for such payment.

(g) The Harbor Commission shall have authority to lease tidelands for such terms and upon such conditions as may be authorized by law; provided, however, that no lease of any tidelands within the jurisdiction of the City for a term longer than one year shall be valid unless said lease shall have been confirmed by the Council.

(h) Any municipal air ports now established or which may hereafter be established on the tidelands shall be under the control and supervision of the Harbor Commission until such time as the Council by ordinance shall create a Department of Aviation, at which time the Council may provide in such ordinance for the control, regulation and supervision of municipal airports by the Department of Aviation.

(i) And all matters concerning the development of the Harbor of San Diego in which the Planning Commission of The

City of San Diego shall have an interest, and which relate to the planning and zoning of The City of San Diego, shall be referred by the Harbor Commission to the Planning Commission for recommendation before final action is taken thereon. In the event of a disagreement between the Harbor Commission and the Planning Commission concerning such proposed development, the matter shall be referred to the Council, whose decision on such development shall be final."

And we further certify that we have compared the foregoing proposed and ratified amendment to the Charter of The City of San Diego with the original proposal submitting the same to the electors of said City, and find that the foregoing is a full, true and exact copy thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of said The City of San Diego to be affixed hereto this 28 day of June, 1962.

(SEAL)

CHARLES C. DAIL
Mayor of The City of
San Diego, California

PHILLIP ACKER
City Clerk of The City of
San Diego, California.

WHEREAS, Said proposed charter amendment is now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendment to the charter of the City of San Diego, herein set forth, as submitted to and adopted and ratified by the qualified electors of said city, be, and the same is hereby approved as a whole, without amendment or alteration, for and as amendment to and as part of the charter of said the City of San Diego.

CHAPTER 10

Senate Concurrent Resolution No. 7—Relating to the passing of the Honorable Culbert L. Olson.

[Filed with Secretary of State June 29, 1962]

WHEREAS, The Members of the Legislature were shocked to learn of the death of the Honorable Culbert L. Olson on April 13, of this year, and

WHEREAS, The Honorable Culbert L. Olson was born in Utah, in which state he grew to manhood and earned his early

education, graduating from the University of Provo at the age of 20. Immediately after graduation he became a newspaper reporter and editor and served as a newspaper correspondent in Washington, where he studied law at Columbia (now George Washington) University Law School—later pursuing a study of the same subject at the University of Michigan. He returned to Salt Lake City and entered the practice of law in 1901, where he met Kate Jeremy who became his wife and the mother of three sons. He was elected to the Utah State Senate in 1916, where he served for four years. At the termination of this term of office he came to California and again engaged in the practice of law in Los Angeles, and

WHEREAS, He was elected to the Senate of the State of California from Los Angeles County in 1934, at which time he was also Chairman of the Democratic State Central Committee. He was elected Governor in 1938, in which office he served a term of four years, and

WHEREAS, The Honorable Culbert L. Olson was a man of strong convictions and determination and sincerity of purpose, was an ardent champion of the laboring man and was recognized by all who knew him as one who was dedicated to furthering such causes as appeared to him to be right, irrespective of whether or not such causes elicited popular favor; and

WHEREAS, The Honorable Culbert L. Olson suffered the loss of his wife while he was a Member of the Senate and experienced a serious physical upset while serving in the office of Governor and later experienced the loss of one of his sons, which events cast a shadow over his life, but caused no diminution in his zeal to battle for those things he believed to be just; and

WHEREAS, The State of California has suffered great loss in the death of this dedicated man and, by this resolution, to pay tribute to the character of the Honorable Culbert L. Olson and to give its official recognition to the services he rendered to the State of California, both as a Senator and as Governor; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That when the Legislature shall adjourn from its duties on this, the 28th day of June, 1962, it shall do so in honor of the memory of the Honorable Culbert L. Olson; and be it further

Resolved, That the Members of the Legislature are grieved to learn of the passing of their former fellow member and wish to express their profound sympathy to the surviving members of his family; and be it further

Resolved, That the Secretary of the Senate be, and he is hereby directed to prepare suitable copies of this resolution and to transmit them to surviving members of the family of the Honorable Culbert L. Olson.

CHAPTER 11

Senate Concurrent Resolution No. 1—Relative to commemorating the life and service of State Senator J. Howard Williams of Tulare County.

[Filed with Secretary of State July 3, 1962.]

WHEREAS, The Members of the Legislature of the State of California are shocked and deeply grieved by the death of their friend and fellow legislator, State Senator J. Howard Williams of Tulare County on May 7, 1962; and

WHEREAS, J. Howard Williams was born in Tulare County, California, January 3, 1904, of seafaring Welsh ancestry from whom he inherited those traits of individualism, industry, and sturdy self-reliance which carried him through boyhood years as an outstanding school athlete and made him All State tackle in his senior year at San Diego High School, led him to high office in fraternal organizations, prompted him to many years of outstanding public service in his home community of Tulare County, and brought him to his seat in the Senate of California in 1947, where he spent the next 16 years in devoted public service to the people of his district and of the State of California; and

WHEREAS, During all those years he was distinguished by unfailing industry, courtesy, and fairness, giving unselfishly of himself and his talents to forwarding the work of this Legislature, in serving the interests of the State of California and his district, including many hours spent with hundreds of school children of Tulare County who visited him here, talking with them and explaining to them the functions of government; and

WHEREAS, J. Howard Williams was a man of unassailable integrity, kindly and considerate, of warm personality, possessed of a sense of humor and a homely wit devastating to all pretense and sham which eased tensions and endeared him to his fellows, whether engaged in the most serious debate or committee discussions or participating with the Porterville centennial committee firing a Civil War cannon across the Capitol lawns; and

WHEREAS, J. Howard Williams, by his industry and ability in the Senate, soon established himself as an authority on matters of agriculture, finance, fish and game, taxation, assessment practices, school financing, and water resources, being for many years chairman of the powerful Joint Legislative Interim Committee on Water Problems which pointed the way to development and distribution of the State's water resources, and at the time of his death was chairman of the Senate Standing Committee on Water Resources, chairman of the Senate Fact Finding Committee on Natural Resources, a member of the Senate Fact Finding Committees on Agriculture, and Labor and Welfare, of the Joint Budget Committee, and of the Joint Audit Committee; and

WHEREAS, J. Howard Williams was a member of the Elks and Moose lodges, the Commonwealth Club of San Francisco, Palm Leaf Chapter Order of Eastern Star, Porterville Lodge 303 F & AM, past high priest of Royal Arch Masons, past grand high priest of the State of California Royal Arch Masons, honorary past commander of Porterville Commandery 67, Knights Templar, and a member of the First Congregational Church of Porterville which he had served in various capacities; and

WHEREAS, In addition to all of his achievements and honors, J. Howard Williams was a man of warm personal affections, devoted to his family, a keen discriminator between right and wrong, and one who faithfully pursued that scriptural admonition subscribed to by men of all religious faiths

“ . . . to do justly and to love mercy and to walk humbly with thy God.”

now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of this Legislature pay tribute to the memory of J. Howard Williams as a legislator of great accomplishment in public service, as a man admired by his friends, respected by his opponents, and beloved in his own community, and the Members of this Legislature express their deepest sympathy to the family of J. Howard Williams: his wife, the former Becky Stewart of Reedley; his daughter, Mrs. Gloria MacConnell of Bakersfield; his son, J. Howard Williams III; his grandchildren, Judith, Thomas, and Becky MacConnell; his sisters, Miss Helen Williams of Porterville and Mrs. Margaret Jones of San Diego; his brothers, Philip Williams of Milo, Oregon, and Arthur Williams of Arlington, California; and be it further

Resolved, That the Secretary of the Senate is requested to forward a suitably prepared copy of this resolution to the members of the family of Senator J. Howard Williams as an expression of the sympathy and esteem of the Members of the Legislature of the State of California, and be it further

Resolved, That when the Legislature shall adjourn from its labors on this 26th day of June, 1962, it shall do so in honor of the memory of Senator J. Howard Williams.